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Security Council

Fifty-third Year

Provisional

3939th Meeting

Thursday, 5 November 1998, 4.05 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Niehaus
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Satoh
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock

Agenda

The situation between Iraq and Kuwait

Letter dated 31 October 1998 from the Deputy Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1023)

Letter dated 2 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1032)

Letter dated 3 November 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1033)

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The meeting was called to order at 4.05 p.m.

Expression of welcome to the new Permanent Representative of Japan to the United Nations

The President: I should like, at the outset of the meeting, to extend on behalf of the Council a warm welcome to the new Permanent Representative of Japan to the United Nations, Mr. Yukio Satoh. We look forward to cooperating with him in the Council's work.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of November, I should like to take this opportunity to pay tribute, on behalf of the Council, to Sir Jeremy Greenstock, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, for his service as President of the Security Council for the month of October 1998. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Greenstock for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 31 October 1998 from the Deputy Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1023)

Letter dated 2 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1032)

Letter dated 3 November 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1033)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the letter dated 31 October 1998 from the Deputy Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1023); the letter dated 2 November 1998 from the Executive Chairman of the Special Commission addressed to the President of the Security Council (S/1998/1032); and the letter dated 3 November 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1033).

Members of the Council also have before them document S/1998/1038, which contains the text of a draft resolution submitted by Japan, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Brazil, Costa Rica, Portugal, Slovenia and Sweden have joined as sponsors of the draft resolution.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution (S/1998/1038) before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Satoh (Japan): First of all, thank you very much, Sir, for your very kind words regarding my first Security Council meeting. I assure you of my full cooperation.

I would also like to endorse what the President said with regard to the excellent job that our colleague Ambassador Greenstock did. I would also like to say that I know that with his renowned expertise, the current President, Ambassador Burleigh, will do a good job of leading the Council.

On 31 October, the Revolutionary Command Council and the Baath Party of Iraq decided to suspend cooperation with the United Nations Special Commission (UNSCOM) and to maintain the restrictions on the work of the International Atomic Energy Agency (IAEA). Japan strongly regrets this decision. To our great surprise, the decision came the day after the Security

Council completed its work on the presidential letter to the Secretary-General describing the Council's initial views on a comprehensive review of Iraq's compliance with the relevant Council resolutions, which was proposed by the Secretary-General on 6 August.

The decision on 31 October, together with Iraq's decision on 5 August, has, in effect, rendered impossible the implementation of relevant Security Council resolutions, including the provisions of resolution 687 (1991), which stipulate the conditions that must be met in order for the sanctions to be lifted. This is a regrettable situation for both Iraq and the international community as a whole.

Deeply concerned by the Iraqi decision, Japan, for its part, made a démarche to the embassy of Iraq in Tokyo on 2 November, urging Iraq to immediately resume full and unconditional cooperation with UNSCOM and the IAEA.

In view of the gravity of the situation, the Council responded immediately by issuing a presidential press statement on 31 October, sending a firm, unequivocal and unanimous message to Iraq. The draft resolution before us is the formal response of the Security Council to the Iraqi decision of 31 October. The message is quite clear: sanctions can be lifted only when Iraq complies with the relevant provisions of the Security Council resolutions and the Memorandum of Understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General, and this can be achieved only through full cooperation with UNSCOM and the IAEA.

My delegation considers this draft resolution to be appropriate and, therefore, has joined the United Kingdom in co-sponsoring it.

The President: I thank the representative of Japan for his kind words addressed to me.

Mr. Dejammet (France) (*interpretation from French*): Along with the other Council members, France has lent its support to the draft resolution that is going to be put to the vote, and given the final draft, we wish to join the other sponsors. In expressing itself in a unanimous way the Council demonstrates its unity in the face of an unacceptable and irrational Iraqi decision. The Council is acting firmly because Iraq's decision represents a serious violation of that country's obligations. By so acting, Baghdad is turning its back on the Council's clearly expressed intention to proceed without delay to a comprehensive review of the implementation of its resolutions as soon as the restrictions imposed on the United Nations Special Commission and the International Atomic Energy Agency on 5 August were lifted.

The draft resolution that we are going to adopt today restates the Council's intention to carry out this comprehensive review. It also reaffirms the intention of the Council

> "to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution".

These provisions, as everyone knows, are embodied in paragraphs 21 and 22 of Council resolution 687 (1991).

Finally, in its last operative paragraph, the text we will adopt reaffirms unambiguously the responsibilities and the prerogatives of the Security Council in the maintenance of international peace and security, responsibilities that include evaluating situations as and when necessary and making the appropriate conclusions.

France appeals to Iraq to seize the opportunity that the Council is ready to offer it through the undertaking, initially proposed by the Secretary-General, of a comprehensive review. The only way for this to be done and for there to be progress towards lifting the sanctions that are causing suffering to the Iraqi people is for Baghdad to rescind without delay the unjustifiable measures of 5 August and 31 October.

Mr. Türk (Slovenia): Today, two months will have passed since the Iraqi authorities decided, on 5 August, to suspend cooperation with regard to the inspection activities of the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA).

The Security Council at that time unequivocally rejected that decision as being totally unacceptable and in contravention of Iraqi obligations. While demanding in vain that Iraq rescind its decision, the Council showed remarkable patience. Moreover, in its resolution 1194 (1998) of 9 September 1998, the Council clearly indicated its willingness to address the concerns of Iraqi authorities by expressing its readiness to conduct a comprehensive review of Iraq's compliance with its obligations and by welcoming the Secretary-General's proposal in this regard.

In the face of the persistent absence of full Iraqi cooperation with UNSCOM and the IAEA, the Security Council and the Secretary-General continued to work towards the realization of a comprehensive review, to be conducted once Iraq resumes full cooperation. These efforts culminated last Friday when the Council, after intensive consultations, reached a consensus on an outline of the comprehensive review.

This was an achievement of great importance. It was also a clear signal to Iraq that the Council is serious about a comprehensive review. Faced with this clear and promising prospect, Iraq, however, decided to cease cooperation with UNSCOM.

This reaction from Iraq is really astonishing. While the Council was patiently moving towards meeting Iraqi concerns, Iraq chose to move in the opposite direction. It is difficult to understand the motives for this reaction. It is also difficult to see how this grave challenge to the Council's authority can result in anything other than a serious aggravation of the situation.

This will not serve any of Iraq's interests. Indeed, the only way for Iraq to progress towards the lifting of the sanctions remains the fulfilment of its obligations under all relevant resolutions, notably resolution 687 (1991). If paragraph 22 of that resolution is to be implemented, the effective operation of the Special Commission and the IAEA is essential. This is clearly stated in the draft resolution before us today.

We believe that this draft resolution is a timely and necessary one. Slovenia co-sponsored it and will vote in favour of it. It is well-balanced and focused. It signals to Iraq in no uncertain terms that it still has a choice: either to resume full cooperation, whereupon the Council will proceed to the comprehensive review, or to forfeit another opportunity and further delay the moment the Council can act in its favour.

We strongly hope that Iraq will make the right choice and that it will do so soon.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): We learned with deep concern of the decision of the Iraqi leadership on 31 October to halt cooperation with the United Nations Special Commission. That decision is unacceptable. It has jeopardized the search of recent months for a solution to the Iraqi problem. That step runs counter to the agreements between the Secretary-General and the Iraqi side that Baghdad would rescind its decision of 5 August and that the Security Council would conduct a comprehensive review of the Iraqi situation. Those agreements opened the way to the lifting of sanctions on Iraq.

Following upon Iraq's decision of 31 October, Russia immediately informed the Iraqi leadership of its position. We are engaging in active diplomatic efforts to promote a settlement of the problem, in the belief that only the resumption of the constructive cooperation of Iraq with the United Nations will make possible a comprehensive review and the prospect of lifting the oil embargo.

The way to overcome this new crisis lies, we believe, exclusively in political and diplomatic efforts alongside the active role of the Secretary-General. Any attempt to resolve the problem by force would have highly unpredictable and dangerous consequences, both for the United Nations ability to continue to monitor proscribed military activity in Iraq and for peace and stability in the region and in the Middle East as a whole.

We are pleased to note that the draft resolution before us seeks precisely a political solution to the Iraqi problem and contains no language that could be arbitrarily interpreted as some kind of permission to use force. The draft resolution makes it clear that the Security Council, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security, will remain actively seized of the situation.

Without in any way attempting to justify Iraq's actions, I wish to stress the exceptional importance of total clarity with regard to the Security Council's intentions to implement its own resolutions. The draft resolution clearly reaffirms the Council's intention to take a decision on the current sanctions in accordance with the relevant provisions of resolution 687 (1991). This naturally refers to action under paragraph 22 of that resolution regarding the lifting of the oil embargo once Iraq meets its disarmament obligations. The same understanding was stated in the letter sent on 30 October by the President of the Security Council to the Secretary-General in support of his idea of a comprehensive review. That concept is reaffirmed in the draft resolution. We hope that, in the light of all this, Baghdad will again assess the emerging situation and rescind its decision of 31 October.

With this in mind, as well as the fact that the sponsors incorporated a number of amendments reflecting our principled approach to the situation, the Russian delegations joins the consensus and will support the draft resolution.

Mr. Monteiro (Portugal): After the signature of the Memorandum of Understanding by the Secretary-General and the Government of Iraq last February and up to the beginning of August, we witnessed a period of progress in the disarmament activities in Iraq. This progress was due to the cooperation lent by the Iraqi authorities to the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), which was acknowledged by the Council.

The Iraqi decision of 5 August put an end to what had finally become a positive trend — a trend leading, we thought, to the swift completion of the road map known to Iraq as necessary to achieve the lifting of sanctions.

In a serious effort to re-establish such a trend, the Council, with the assistance of the Secretary-General, offered to engage, soon after Iraq were to rescind its unacceptable decision of 5 August, in a comprehensive review of Iraq's compliance with its obligations under the relevant resolutions, in order to identify any tasks which still needed to be undertaken to satisfy the remaining requirements of those resolutions.

In view of those efforts, it was with dismay and incomprehension that all Council members received the decision of Iraq, last Saturday, to cease any cooperation with the United Nations Special Commission and to continue to impose restrictions on the work of the IAEA, the effective operation of which is essential for the implementation of resolution 687 (1991).

The draft resolution we have before us contains the message the Council must now convey to Iraq. It expresses a firm condemnation of the Iraqi decision of 31 October; it renews the support of the Council for the Special Commission and the IAEA; and it demands that Iraq immediately rescind that decision, as well as the 5 August decision.

Iraq must understand that it cannot continue to miss the opportunities offered. Iraq cannot continue to delay fulfilling the conditions that will enable the Council to act in accordance with paragraphs 21 and 22 of resolution 687 (1991). Iraq cannot continue to delay the moment when the Council will be in a position to act on the duration of the prohibitions referred to in that resolution.

The draft resolution before us represents a firm, unambiguous and determined reaction by the Council. It also expresses, in no uncertain terms, the united response of all Council members to the Iraqi stand.

It is up to Iraq now. Iraq must immediately reconsider its position, re-engage once and for all on the path of cooperation with UNSCOM and the IAEA, and ensure full compliance with its obligations. Only in this way will Iraq enable the Council to lift the sanctions.

Mr. Dahlgren (Sweden): On 31 October, Iraq announced its complete cessation of the little remaining cooperation it had offered to the United Nations Special Commission (UNSCOM). It also decided to continue to restrict the work of the International Atomic Energy Agency (IAEA). The Iraqi decision was surprising, and somewhat incomprehensible, in the light of the important fact that the Security Council, the day before, had formulated a unified view on the concept of a comprehensive review of Iraqi compliance. Such a comprehensive review would, *inter alia*, have marked the road out of sanctions for Iraq. But it cannot take place until Iraq is back in full cooperation with UNSCOM and the IAEA, and steps like those now being taken by Iraq will not bring it any closer to the lifting of sanctions. We are always ready to listen to the views of the Government of Iraq, but attempts to bargain with the Security Council over its resolutions cannot be accepted.

In the draft resolution before us, the Security Council condemns Iraq's behaviour and confirms its demands on Iraq. That message cannot be misunderstood: Iraq must immediately rescind its unacceptable decisions of 5 August and 31 October and return to full compliance and cooperation. There is no room for compromise on these fundamental principles.

At the same time, this draft resolution not only repeats the Council's demands; it also reaffirms that Iraq's compliance with all its obligations will make it possible for the Security Council to lift the sanctions, as stipulated in resolution 687 (1991). It restates the Council's readiness to carry out a comprehensive review of Iraq's compliance with its obligations once Iraq has rescinded its decisions and resumed full cooperation with UNSCOM and the IAEA. It is our sincere hope that the message embedded in these paragraphs — an exit sign, as it were, for the route out of sanctions — shall not be missed by Baghdad.

Finally, a very important principle is reflected in the last paragraph of the draft resolution. The Security Council's primary responsibility for the maintenance of international peace and security, as laid down in the Charter of the United Nations, must not be circumvented. We see this paragraph as an expression of the desire of members to safeguard that responsibility.

Sweden fully supports the draft resolution before us.

Mr. Amorim (Brazil): The draft resolution we are about to vote on clearly condemns the decision of the Government of Iraq to stop its cooperation with the United Nations Special Commission (UNSCOM). It also refers to the continued restrictions imposed by Iraq on the work of the International Atomic Energy Agency (IAEA).

Since 5 August, when these restrictions first came about, Brazil has joined other members of the Security Council in stressing that the lack of full cooperation with both agencies was totally unacceptable and constituted a violation of Security Council resolutions. We have also supported the Secretary-General in his efforts to seek Iraq's cooperation in accordance with the Memorandum of Understanding he signed with the Deputy Prime Minister of Iraq in February 1998.

The decision of 31 October came at a moment when the Security Council had just been seriously engaged in discussing the concept of a comprehensive review of Iraq's compliance with Security Council resolutions, as presented by the Secretary-General. Brazil considers that the Secretary-General's possible concept of a comprehensive review constitutes a thoughtful and balanced approach which could allow for progress in the implementation of resolution 687 (1991).

As conceived by the Secretary-General and supported by the Council, the review shall consist of two distinct and equally important phases, the first dedicated to disarmament-related issues and the second encompassing the other requirements arising from relevant resolutions, including those relating to Kuwaiti missing persons and Kuwaiti property.

However, and as the Secretary-General himself stressed, a condition sine qua non for the Council to proceed with the review is the rescission by Iraq of its decision to stop cooperation with UNSCOM and restrict the activities of the IAEA. Complete and unconditional cooperation with the Special Commission and the IAEA is the only way to achieve our goal of addressing fully the disarmament-related requirements of section C of resolution 687 (1991). Only with such cooperation can we envisage the moment in which the disarmament phase would be concluded and the ongoing monitoring and verification phase would be fully in place with the effects stipulated in paragraph 22 of resolution 687 (1991).

Precisely on the day before the Iraqi decision to halt its cooperation with UNSCOM, the members of the Security Council had agreed on a letter, which was sent by the President of the Security Council to the Secretary-General, in which the Council offered its initial views on how to hold a comprehensive review. The letter was forward-looking and in our opinion provided a reasonable blueprint for the review. It reflected the consensus of the Council that this comprehensive assessment of Iraq's compliance should be designed so as to lead to the definition of an agreed course of action and timetable which, if followed, would enable the Council to fulfil its intention to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution.

It was thus with a deep sense of dismay that the Brazilian Government learned of the Iraqi decision of 31 October. That decision makes it much more difficult for all of us to proceed in our work with a view to ensuring Iraq's compliance with its obligations, thus making it possible to reintegrate Iraq into the international community. With that objective in mind, we urge Iraq to rescind both its decisions, of 5 August and of 31 October, and to resume full and unconditional cooperation with UNSCOM and the IAEA.

Finally, from the point of view of my delegation, it is of special importance that operative paragraph 6 of our draft resolution stresses that the Security Council will continue to be seized of this issue, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security. It is our view that this principle should continue to guide our consideration of this matter. Bearing these facts in mind, my delegation decided to join the group of sponsors of this draft resolution.

Mr. Mahugu (Kenya): The draft resolution before us demands that Iraq rescind immediately and unconditionally the decisions taken to suspend cooperation with the United Nations Special Commission (UNSCOM) and to maintain restrictions on the International Atomic Energy Agency (IAEA).

We are among those who believe that the situation in Iraq will see notable improvement with the commencement of the comprehensive review and are therefore disappointed at the latest turn of events. We expect the Government of Iraq to fulfil its obligations under all relevant Security Council resolutions and to cooperate fully with the IAEA and UNSCOM on the basis of the Memorandum of Understanding of 23 February 1998. It is on the basis of the understanding reached therein that a way forward must be forged to facilitate the conclusion of the outstanding issues and de-escalate the tension caused by recent developments.

We are grateful that our concerns regarding the content of the draft resolution were taken on board, including the demand that Iraq rescind its decisions of 31 October and 5 August this year; the reaffirmation of the Council's readiness to take up the comprehensive review; the intention of the Council, as spelt out in operative paragraph 5, to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions; full support for the efforts of the Secretary-General and our confidence in his ability to carry this process forward on the basis of the Memorandum of Understanding; and our understanding that the present draft resolution contains nothing that could open the door in any eventuality for any kind of action without the clear and precise authority of the Security Council. In that respect, we are happy to note that the Security Council, in operative paragraph 6 of the draft resolution,

> "*Decides*, in accordance with its primary responsibility under the Charter for the maintenance of international peace and security, to remain actively seized of the matter."

It is, *inter alia*, on the basis of that understanding that my delegation will vote in favour of the draft resolution.

In conclusion, we would once again like to see a resumption of full cooperation between Iraq and the United Nations, and urge Iraq to act quickly and decisively in addressing the current situation.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): After the signing of the Memorandum of Understanding between Iraq and the United Nations on 23 February 1998, the relationship between the two sides continued to be a good one. Everything seemed to be going smoothly and naturally. That relationship was free of any problem whatsoever; during that period no problems, in the full sense of the word, were created.

Everyone hoped that this situation would continue. However, Iraq's decision of 5 August this year has caused much damage to that relationship. That was followed by the decision of 31 October, which further complicated the situation.

My delegation finds those decisions by Iraq unfortunate. Even as the Security Council was preparing, over the last two months, to undertake a comprehensive review, the latest Iraqi decision put an end to all those strenuous efforts made by the members of the Council.

It is in Iraq's interest to rescind those two decisions and resume its cooperation with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA). We hope that this will be done as soon as possible. My delegation believes that there is still a chance, and it should be seized. The international community should make a greater effort to convince Iraq and to encourage it to rescind its two previous decisions.

Iraq's decision to rescind these two decisions to cease cooperation with UNSCOM and IAEA would pave the way for the comprehensive review which was prepared by the Council and contained in the letter of its President addressed to the Secretary-General on 30 October.

The review consists of two phases: that of destroying weapons of mass destruction and that of freeing Kuwaiti prisoners and restoring Kuwaiti property. We hope that through this review, Iraq will commit itself to meeting its obligation. Then the lifting of the long-lasting embargo could begin, an embargo that has caused the Iraqi people much suffering and much material and moral damage.

In conclusion, my delegation supports the draft resolution that we are about to endorse today, and we hope that it will have positive effects. At the same time, we hope that consultation and dialogue will continue so that a way out of the present crisis can be found. That would enable Iraq to implement the relevant Security Council resolutions and thereby devote itself to the economic and social development that it so sorely needs.

Mr. Niehaus (Costa Rica) (*interpretation from Spanish*): On several occasions during its current membership of the Security Council, the delegation of Costa Rica has expressed its firm conviction that the logical and viable solution to the constant crises that have

arisen in the context of the relationship between the United Nations and Iraq lies in the full implementation of the relevant Security Council resolutions.

Time and again, whenever the Iraqi authorities have pushed that relationship to the limit, Costa Rica has stressed that Iraq must comply with the disarmament obligations imposed on it by those resolutions, as an indispensable condition for the lifting of the sanctions imposed.

That unswerving position on the part of my delegation is based on the fact that we have repeatedly noted a persistent course of action on the part of the Government of Iraq to avoid full compliance with those obligations, through excuses and evasions designed to secure new rules of the game that could diminish its responsibilities under those Council resolutions.

The decision taken by the Government of Iraq on 31 October to cease cooperation with the United Nations Special Commission, together with its continued restrictions on the work of the International Atomic Energy Agency, are a further example of that dangerous course of action and give us good reason to doubt the Iraqi authorities' willingness to comply.

This new challenge by Iraq to the authority of the Security Council not only disregards the obligations that it entered into with the international community, but also calls into question the willingness and readiness that it expressed in the Memorandum of Understanding that it signed with the Secretary-General on 23 February this year.

That Memorandum established ample scope for political dialogue, which has now been ignored by Iraq for the sole purpose of securing further concessions in the process of implementing Council resolution 687 (1991). That is why the delegation of Costa Rica cannot accept or consider valid the attempt to justify Iraq's decision on the basis of a failure to understand because of an alleged lack of clarity in the letter that the President of the Security Council addressed to the Secretary-General on 30 October.

Costa Rica hopes that Iraq will proceed to comply with its international disarmament obligations, honour its word as given in the Memorandum of Understanding of 23 February and resume cooperation with the Special Commission and the International Atomic Energy Agency without conditions.

Costa Rica also hopes that the Government of Iraq will demonstrate clearly and unequivocally to the international community its willingness to resolve the current situation and to take firm steps that will enable the Council promptly to embark on the comprehensive review.

In this connection, I should like to take the opportunity to reaffirm my delegation's support for the valuable and tireless efforts that the Secretary-General has made and is still making and to urge him to continue his work in the hope that dialogue and negotiation will make it possible to achieve a political solution to the current crisis.

For all of those reasons, Costa Rica sponsored and, of course, will vote in favour of the draft resolution before us.

Mr. Jagne (Gambia): My delegation would simply like to reiterate that it was flabbergasted by the decision taken by Iraq on 31 October 1998 to cease cooperation with the United Nations Special Commission and to continue imposing restrictions on the work of the International Atomic Energy Agency. This constituted yet another slap in the face, especially at that time, when the Security Council was in the process of fine-tuning a possible concept for a comprehensive review of sanctions imposed on Iraq. The Security Council was working painstakingly in that direction when what had been conveniently described as a "hiccup" suddenly assumed another dimension because of the decision taken on 31 October, so that now it looks like a stranglehold. What this draft resolution is attempting to do is free the international community from that deadly grip and, hopefully, break the vicious cycle of mini-crisis after mini-crisis. We want to move forward.

It was in that spirit that resolution 1194 (1998) was adopted in order to set in motion the process that would culminate in a comprehensive review — provided, of course, that the logical sequence was adhered to. There is no need to emphasize that the first step in this sequence of events is for Iraq to rescind its decision of 5 August. My delegation subscribes wholeheartedly to the view that by failing thus far to comply with its relevant obligations, Iraq is unnecessarily postponing the proposed comprehensive review and, by extension, prolonging the unwarranted suffering of the people of Iraq.

In view of the fact that the draft resolution calmly but firmly provides yet another opportunity for Iraq to

resume cooperation, my delegation will vote in favour of it.

Mr. Dangue Réwaka (Gabon) (*interpretation from French*): In resolution 1154 (1998) of 2 March 1998, which endorsed the Memorandum of Understanding signed on 23 February 1998 in Baghdad by the Secretary-General of the United Nations and the Deputy Prime Minister of Iraq, the Security Council reaffirmed its intention to comply with the provisions of resolution 687 (1991) concerning the duration of the prohibitions contained in that resolution, provided Iraq placed no more obstacles in the way of the activities of the United Nations Special Commission (UNSCOM) and of the International Atomic Energy Agency (IAEA).

The assurances that we received from the Iraqi authorities indicated that nothing would be done to impede the process of dismantling the weapons of mass destruction that might still be on Iraqi soil.

However, contrary to every expectation, on 5 August 1998, Iraq decided to suspend and, on 31 October to halt, its cooperation with those two bodies, running the risk of postponement, *sine die*, of the comprehensive review that the Security Council was preparing to conduct.

Whatever the reasons for Iraq's decision, we can only condemn them. Indeed, we believe that that attitude can only increase our suspicions regarding Iraq's goodwill to comply with the provisions of the relevant Security Council resolutions. That attitude also has the effect of delaying the moment when the Security Council must take a decision under the provisions of paragraphs 21 and 22 of resolution 687 (1991), thereby prolonging the suffering of the Iraqi people.

It is for all these reasons that, once again, we wish to encourage Iraq to resume full cooperation with the Special Commission and the IAEA, because only a resumption of dialogue — and, particularly, the technical dialogue between Iraqi experts and the experts from UNSCOM and the IAEA — will help to provide answers to the Iraqi Government's questions regarding the possibility of a lifting, even a partial lifting, of sanctions by the Security Council.

Therefore we will support the draft resolution before us, since it is in keeping with that idea.

We believe that the unreserved support expressed by members of the Council for the efforts that the Secretary-General has been making to implement the Memorandum of Understanding of 23 February 1998, and their reaffirmation to conform to the relevant provisions of resolution 687 (1991), should inspire greater confidence in Iraq regarding the real desire of Council members to conduct a review of actions undertaken since the imposition of the embargo.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The Chinese delegation is deeply disturbed and concerned at the present development in Iraq. We have always believed that Iraq should implement in full Security Council resolutions and resume, as soon as possible, its cooperation with the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA). At the same time the Security Council, in accordance with the provisions of its relevant resolutions, should also make a timely and objective assessment of Iraq's compliance. Only then can Council resolutions be fully and effectively implemented. It is our hope that questions left over from the Gulf war can be properly resolved as soon as possible.

As the Chinese saying goes, "three feet of ice is hardly the result of one day's cold". We should seriously reflect on the root causes of the present situation. There is no doubt that Iraq has to fulfil in a comprehensive manner its obligations under relevant Security Council resolutions. But the Council also has the responsibility to make a fair and objective assessment in light of Iraq's compliance.

We are of the view that regarding some weapon files, conditions are ripe to move to the next ongoing monitoring and verification stage. The fact that the Security Council has been unable to make such a political decision is regrettable.

The Secretary-General has proposed that the Council conduct a comprehensive review of the Iraqi question and put forward some concrete ideas in this regard. The Secretary-General's proposals and ideas have been warmly received and supported by an overwhelming majority of the Council members. We appreciate and support the Secretary-General's ideas and positive efforts. We believe that, under the present circumstances, conducting a comprehensive review is still a way out of the present impasse. We support the Secretary-General in his ongoing active role in this regard.

Only through dialogue and consultations and confidence-building can we resolve the present problem. There is no other way out. In this context, I should like

to appeal to all sides to exercise restraint and to try to resolve their differences through dialogue and cooperation and to refrain from any actions that might sharpen the conflict and exacerbate tension.

Although there are still elements in the draft resolution that are not totally to our liking, it is also true that the draft has incorporated amendments put forward by China and other interested countries by taking out the part which determines that the situation in Iraq poses a threat to international peace and security, and by adding that it is the primary responsibility of the Security Council to maintain international peace and security, reiterating its support for the Secretary-General in his efforts to ensure the implementation of the Memorandum of Understanding and reaffirming the Council's intention to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions.

We therefore believe that, in general, the text is a balanced one. In order to ensure the full implementation of Security Council resolutions and to seek an appropriate solution to the present problem, we will vote in favour of the draft resolution. We hope that this resolution will facilitate the resumption of cooperation between Iraq, on the one hand, and UNSCOM and IAEA, on the other, so as to allow an early comprehensive review which will in turn free the Iraqi people from sanctions.

The President: I shall now put to the vote the draft resolution contained in document S/1998/1038.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1205 (1998).

I shall now call on those members of the Council who wish to make statements following the voting.

Sir Jeremy Greenstock (United Kingdom): Thank you, Mr. President, for your kind words addressed to me at the beginning of this meeting, and congratulations on your assumption of the presidency.

By its decisions of 5 August and 31 October, Iraq has put itself in flagrant violation of its obligations under the relevant resolutions of the Council. It is right that the Council should react formally and unanimously to this latest attempt to challenge its authority and that of the United Nations as a whole.

This resolution reiterates the Council's full support for the Special Commission and the IAEA. Their work is absolutely vital. Iraq's constant attempts to undermine them and avoid its obligations only delay the moment when the decision can be taken on the lifting of sanctions. Cooperation, not confrontation, is the only way out from sanctions for Iraq.

Certain speakers have given their views on the meaning of this resolution as regards the possible use of force. Let me set out briefly the view of the United Kingdom. It is well established that the authorization to use force given by the Security Council in 1990 may be revived if the Council decides that there has been a sufficiently serious breach of the conditions laid down by the Council for the ceasefire.

In the resolution we have just adopted, the Council has condemned the Iraqi decision to cease all cooperation as a flagrant violation of its obligations.

This resolution sends a clear message to Iraq: resume cooperation now. If Iraq does so, the Council has spelt out unambiguously that it stands ready to conduct a comprehensive review of Iraq's compliance with its obligations under the relevant resolutions and what steps remain to be taken. We hope Iraq will respond positively and resume full cooperation soon.

The President: I thank the representative of the United Kingdom for his kind words addressed to me. I shall now make a statement in my capacity as representative of the United States.

By adopting this resolution, the Security Council has sent a clear and unmistakable message to Iraq: non-compliance will not be rewarded or tolerated. Iraqi efforts to defy Council resolutions and obtain a lifting of sanctions without full compliance have failed, and will fail. Compliance with the Council's resolutions is the only course which will lead Iraq back towards acceptance within the community of nations.

The restrictions which Iraq has imposed on the United Nations Special Commission (UNSCOM) and the

International Atomic Energy Agency (IAEA) since 5 August are intolerable. Let me be clear: key provisions of resolution 687 (1991) cannot be implemented unless UNSCOM and the IAEA have Iraqi cooperation and full, immediate and unimpeded access.

The Secretary-General, whose efforts to obtain Iraqi compliance are commended in this resolution, has expressed his own view that Iraq's 31 October decision to halt UNSCOM activities is a serious breach and major violation of the 23 February Memorandum of Understanding. It is significant that today's resolution similarly cites the Iraqi decision as a flagrant violation of resolution 687 (1991) and other relevant resolutions. I would also recall that both President Clinton and Secretary of State Albright have emphasized that all options are on the table, and the United States has the authority to act.

The Council has made clear on many occasions — most recently in its 30 October letter to the Secretary-General and today in this resolution — that it is prepared to recognize and respond to Iraqi compliance, but not until Iraq lifts all restrictions on UNSCOM and the IAEA and resumes cooperation.

Iraq should recognize the gravity of the situation it has created. Iraq must turn back from the dangerous and self-defeating course it has chosen. The United States sincerely hopes that Iraq will heed the clear message of this resolution and take the necessary steps without delay

I now resume my functions as President of the Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 5 p.m.

United Nations S/PV.3940

Security Council

Fifty-third Year

Provisional

3940th Meeting
Friday, 6 November 1998, 5.50 p.m.
New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Liu Jieyi
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Takasu
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Granovsky
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

The situation in Guinea-Bissau

Letter dated 3 November 1998 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/1998/1028)

98-86332 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 5.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Letter dated 3 November 1998 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/1998/1028)

The President: I should like to inform the Council that I have received a letter from the representative of Guinea-Bissau, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Cabral (Guinea-Bissau) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the letter dated 3 November 1998 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/1998/1028).

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the agreement reached on 1 November 1998, in Abuja, between the Government of Guinea-Bissau and the Self-Proclaimed Military Junta during the 21st Summit of the Authority of the Heads of State of the Economic Community of West African States (ECOWAS) (S/1998/1028, annex). In this context, the Council commends the mediation efforts of ECOWAS and of the Community of Portuguese-speaking Countries (CPLP), and their respective Chairmen, and recognizes the role of other leaders, in particular the preponderant role of the President of the Gambia in the negotiations that led to that agreement.

"The Security Council affirms its firm commitment to preserve the unity, sovereignty, constitutional order and territorial integrity of Guinea-Bissau.

"The Security Council considers the agreement to be a positive step towards national reconciliation and lasting peace in Guinea-Bissau. The Council calls upon the Government and the Self-Proclaimed Military Junta to respect fully their obligations under the Abuja Agreement and the Praia Agreement of 26 August 1998 (S/1998/825). The Council welcomes, in particular, the decision immediately to put in place a Government of National Unity and to hold general and presidential elections not later than the end of March 1999.

"The Security Council takes note of the agreement regarding the withdrawal from Guinea-Bissau of all foreign troops and of the simultaneous deployment of the interposition force from the Military Observer Group of ECOWAS (ECOMOG), which will take over from the withdrawn forces. The Council calls upon all States to provide voluntarily technical, financial and logistical support to assist ECOMOG to carry out its mission.

"The Security Council appeals to States and organizations concerned to provide urgent humanitarian assistance to displaced persons and refugees. It calls upon the Government and the Self-Proclaimed Military Junta to continue to respect relevant provisions of international law, including humanitarian law, and to ensure safe and unimpeded access by international humanitarian organizations to persons in need of assistance as a result of the conflict. In this regard, it welcomes the decision to open the international airport and the seaport at Bissau.

"The Security Council will remain actively seized of the matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/31.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.55 p.m.

United Nations S/PV.3941

Security Council

Fifty-third Year

Provisional

3941st Meeting

Friday, 6 November 1998, 5.55 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Liu Jieyi
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Granovsky
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

The situation in Croatia

Final report of the Secretary-General on the United Nations Police Support Group (S/1998/1004)

98-86338 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 5.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Croatia

Final report of the Secretary-General on the United Nations Police Support Group (S/1998/1004)

The President: I would like to inform the Council that I have received a letter from the representative of Croatia, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šimonović (Croatia) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the final report of the Secretary-General on the United Nations Police Support Group (S/1998/1004).

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the final report of the Secretary-General on the United Nations police support group (S/1998/1004), and in particular his description of the successful conclusion of the police support group mandate and the smooth transition of responsibilities to the police monitoring programme of the Organisation for Security and Cooperation in Europe (OSCE). The Council recalls the commitment of the Government of Croatia to ensure that OSCE police monitors will have the same access to police stations, documents and police operations, including investigations and checkpoints, as that accorded to the United Nations police support group.

"While the overall security situation in the Danube region remains satisfactory and police performance has improved notably and the Government of Croatia has taken steps to ensure that this continues, a worrying trend of ethnically motivated incidents persists in the region. The Security Council remains deeply concerned at the continuing departures of Serb residents, resulting to a considerable extent from these incidents. In this context, the Council is mindful of the importance of economic revitalization and reconstruction in creating an environment for sustained returns. The Council calls upon the Government of Croatia to make every effort to enhance public confidence in the police force and to recommit itself fully to the process of reconciliation between ethnic groups.

"The Security Council also calls upon the Government of Croatia to address the perceived lack of security which is contributing to continuing departures of Serbs from the region, and to remedy a number of problems which are preventing the full implementation of the 'Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons' (S/1998/589). While noting that in his previous report (S/1998/887), the Secretary-General recognized progress in the implementation of this Programme, the Council calls upon the Government of Croatia promptly and fully to address all unresolved issues, which include restitution of property to Croatian citizens of Serb ethnicity, harmonization of legislation with the provisions of the return programme to enable non-discriminatory implementation, effective functioning of all housing commissions, equal access to reconstruction funding, restoration of rights to socially owned apartments, access to information, removal of impediments to the acquisition of documents needed for returnee status and benefits, and implementation of the law on convalidation.

"The Security Council expresses particular concern about the Joint Council of Municipalities, which represents all Serb ethnic communities in the region and which is described by the Secretary-General as being on the brink of collapse. The Council reiterates the continuing obligations of the Government of Croatia under the Basic Agreement as well as under international conventions and other agreements, and, in this context, stresses the importance of full implementation of the Programme for the Establishment of Trust, Accelerated Return

and Normalization of Living Conditions in the War-affected Regions of the Republic of Croatia (S/1997/772).

"The Security Council expresses its full support for the OSCE, which has now assumed the role of the United Nations support group, and looks forward to being kept informed, whenever necessary, of relevant developments in the Danube region of Croatia.

"The Security Council expresses its deep appreciation to all the men and women who participated in the United Nations peacekeeping operations in the Danube region of Croatia. Their dedication and perseverance made a significant contribution to regional peace."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/32.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6 p.m.

United Nations S/PV.3942

Security Council

Fifty-third Year

Provisional

3942nd Meeting

Tuesday, 10 November 1998, 10.30 a.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Satoh
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

Protection for humanitarian assistance to refugees and others in conflict situations

98-86350 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

Protection for humanitarian assistance to refugees and others in conflict situations

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council decides to extend an invitation under rule 39 of its provisional rules of procedure to Mrs. Sadako Ogata, United Nations High Commissioner for Refugees.

There being no objection, it is so decided.

I welcome Mrs. Ogata and invite her to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by the United Nations High Commissioner for Refugees. The fact that the briefing is being given in a public meeting of the Council is a further reflection of the intention of the Council members to continue to enhance the transparency of the methods of work of the Council. In this regard, I would particularly like to acknowledge that this was a suggestion from our Brazilian colleague, Ambassador Amorim.

In order to maintain the utility of this session and out of respect for time constraints, it has been agreed that we will confine interventions to members of the Council. I would also ask colleagues to keep in mind that we have only an hour and a half of Mrs. Ogata's time. I would like to enable all Council members to ask questions, and Mrs. Ogata to respond, in that time-frame.

I now give the floor to Mrs. Sadako Ogata, United Nations High Commissioner for Refugees, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure in order to brief the Council.

Mrs. Ogata (United Nations High Commissioner for Refugees): Thank you for inviting me to address the Security Council. Since I last briefed the Council, in April, it has frequently dealt with crises causing humanitarian and refugee problems. While the intensification of such crises is worrying, I welcome the Council's attention and interest. In our work on behalf of refugees and other victims of forced displacement, we are increasingly involved in conflict situations or in situations immediately following the end of conflicts. We are also exposed to a great variety of security threats — Vincent Cochetel, the head of the Office of the United Nations High Commissioner for Refugees (UNHCR) sub-office in Vladikavkaz, in the Russian Federation, was kidnapped in January and has now spent more than nine months as a hostage. I therefore welcome the Council's recent discussions on the need to better ensure the protection of humanitarian operations. As I have said very often, the safety and security of humanitarian workers and of the people whom they protect and assist can be guaranteed only by broader political efforts. To have it recognized and discussed by the Security Council is therefore an important step in the right direction.

Unfortunately, conflicts forcing civilians to flee are increasing, both in number and in intensity. This slows down and sometimes completely blocks solutions to refugee problems. Even when political settlements are reached and problems of displacement are resolved through voluntary return, the peace thus established can at best be described as fragile. From our perspective, the increasingly blurred lines between war and peace and the necessity to reach out to victims of forced displacement across those lines make the protection of refugees and returnees a more complex exercise than ever before.

Nowhere in the last few months has my Office dealt with the direct relationship between conflict and displacement more than in Kosovo. When I briefed the Council in April, I expressed my concern about the risk of large-scale displacement of civilians within the province and across its borders. While international efforts could not prevent a major refugee crisis, which observers had predicted for years, in the last few weeks they have at least been able to contain the conflict, define minimum conditions to restore the security of civilians and establish a framework aimed at verifying compliance with such conditions.

This has indeed encouraged almost all people displaced within Kosovo to return, often to find their homes destroyed and their property looted. Few people remain in the open. It is not likely, however, that any significant return will occur before spring 1999 from

other countries, including Montenegro, Albania and the former Yugoslav Republic of Macedonia, which together host approximately 65,000 refugees from Kosovo. Of course, further returns are also based on the assumption that the ceasefire will hold. Given the fragility of the situation, we are not promoting repatriation for the time being, but will of course provide support, if necessary, to those voluntarily choosing repatriation.

Security considerations remain overriding in the minds of all those affected by the conflict. There has been considerable withdrawal of police and military forces, but it is essential that further progress be made and that any presence of forces that can be an obstacle to return, or a potential threat thereafter, be withdrawn as a matter of priority. Because the situation is likely to remain fragile in the next few, crucial weeks, it is literally vital — I repeat, vital — that staff of the Kosovo Diplomatic Observer Mission and then of the Kosovo Verification Mission be deployed to the most critical locations as soon as possible. It is very important that monitoring the security and treatment of civilians not be limited to returnees, but apply to all those affected by the conflict. In addition to physical protection, there is also a need for legal guarantees; we are promoting the adoption of an amnesty to provide a critical further element of confidence.

UNHCR has considerably strengthened its presence in Pristina and in three satellite offices. We have been able to deploy about 70 staff in Kosovo alone. Time is of the essence, considering that winter will make logistics very difficult in some areas. We are therefore concentrating on the main humanitarian priority, which is to help those without winter-proof shelter find it as soon as possible, preferably in their own homes. We estimate at 20,000 the number of houses to be rebuilt or repaired.

UNHCR's role as lead humanitarian agency must remain clearly distinct from that of the verifiers. Theirs is a political mission. Our tasks, however, are closely related, and we are fully committed to ensuring our cooperation with the verifiers. We have established a close liaison with the Organization for Security and Cooperation in Europe and its verifiers as well as with the North Atlantic Treaty Organization (NATO) Air Verification Mission. We are also taking part in the training of the verifiers.

If fully implemented, the mechanism of the international involvement in Kosovo will facilitate the return of refugees and displaced people and may help create favourable conditions for a lasting political settlement and the establishment of a durable peace. From a humanitarian perspective, such a mechanism may also constitute a model framework within which to address problems of human displacement.

In the past, I briefed the Security Council on the excruciating dilemmas we had to confront in Bosnia and the former eastern Zaire. The situation in Kosovo could have presented us with similar dilemmas. Working within the framework of a larger international involvement — with political support, in simple words — may avert this risk. In Kosovo, there is now an opportunity for humanitarian action not to unwittingly contribute to prolonging a conflict, but, as a component of a larger peace-building effort, to achieve its primary objective of protecting and assisting civilian victims. If it is successful, I hope that the international involvement in Kosovo can become a useful precedent to be replicated in other situations.

But let me be realistic. Decisive international involvement is not the norm today. Indeed, in most other situations where we have to deal with the humanitarian consequences of conflicts, we cannot count on the same level of organized political support as in Kosovo. Where peace efforts are insufficient or ineffective, the ability of humanitarian agencies to help refugees, returnees and other victims of conflict is greatly diminished. I am thinking of Afghanistan, for example, or of southern Sudan. In these situations, it is very difficult to address the immediate humanitarian problems caused by actual population displacement, let alone contribute to the prevention of fresh population movements.

Let me turn to Africa, which offers the most dramatic examples of this difficulty. Some factors have directly contributed to the blocking of solutions to refugee problems in the continent: first, a trend towards increased violence against civilians, of which mutilations and killings by rebel forces in Sierra Leone have been the most horrifying example; secondly, a strong ethnic component in some conflicts, particularly in the Great Lakes region; and thirdly, the regionalization of military action. Because these trends are very evident, in different ways, in Central and West Africa, I will focus my presentation on those two regions.

In Central Africa, war and human displacement have become so complex, and their ramifications and interrelations so wide, that I hesitate to refer simply to a "Great Lakes" crisis. Between 1993 and 1996, displacement problems were essentially refugee situations. In 1996 and 1997, the focus was on

repatriation, particularly of Rwandan refugees. Today, refugee situations persist — the largest group being the 260,000 Burundi refugees still in Tanzania — but there is a growing mixture of refugee flows, internal displacement and repatriation movements.

The lack of an immediate solution to the unresolved conflict in the Democratic Republic of the Congo is the most worrying element in the Central African context. Although this war has produced relatively limited refugee outflows so far — a new group of about 20,000 Congolese has fled to Rwanda and Tanzania — further displacement on a large scale, and notably internal displacement, is a very real risk, already affecting North and South Kivu.

Because of the traditional link between war and displacement in this area, I am extremely worried by the regionalization of the war in Congo and by its proximity to other conflicts — Angola, for example, where another peace process is collapsing, and where hundreds of thousands of people have been recently displaced. Peace processes within Burundi and Rwanda, themselves very difficult and painful exercises, are undoubtedly made more fragile by the Congolese conflict. In Rwanda, the Government has recently appealed for assistance to meet the needs of hundreds of thousands of internally displaced people — many of whom are recent returnees — in the northwest, an area where insecurity is closely linked to events across the border with Congo.

In the Central African Republic last week, after some Rwandans hosted in a refugee camp threatened to use violence against the local police, the Government ordered the deportation of all Rwandans to the Democratic Republic of the Congo. We are discussing with the authorities how to deal with this complex issue in a manner that is respectful of humanitarian principles but which takes into account the Government's security concerns. UNHCR, however, cannot assist in transporting people, and particularly those among them who are refugees, to a situation of conflict, where some of them may be recruited to fight.

On the other hand, in a simultaneous but separate development, a camp hosting Sudanese refugees, also in the Central African Republic, has come under attack by armed groups from southern Sudan. Two refugees were killed, and humanitarian workers were threatened. With the support of the United Nations Mission in the Central African Republic, 30 Government troops were flown to the site yesterday. This episode follows similar attacks on Sudanese refugee villages in the north-east of the Democratic Republic of the Congo. Sixty thousand refugees fled from this area. I am extremely concerned that we have no information about the majority of those who have disappeared.

Given the complex, interrelated nature of these problems, the search for solutions must have a strong regional approach and address the issue of forced population movements. The efforts of the Southern African Development Community to stop the conflict in the Democratic Republic of the Congo must be given stronger support and encouragement, with the aim of setting up a comprehensive and effective framework for peace in Central Africa.

Forced population movements have plagued this region for decades and have been one of the main causes of insecurity in the last few years. From my perspective, therefore, a peace framework for Central Africa should ensure that ethnic and nationality problems are addressed as a matter of priority; otherwise, if ethnic tensions are allowed or even encouraged to simmer, people may flee again in massive numbers.

In a region affected by several conflicts in the last few years, another issue that needs to be urgently addressed is the disarmament and demobilization of ex-combatants. We should not forget that the conflict in the Congo has among its causes the catastrophic effects of the Rwandan refugee crisis. At the regional ministerial meeting on refugees that the Organization of African Unity and UNHCR jointly convened in Kampala in May, Central African States agreed to respect refugee protection and humanitarian principles, but insisted on the need to address the impact of large-scale population movements on the economy and the environment, but especially on national security. We must act before we reach a situation in which not only humanitarian principles, but also peace and security, are threatened again by population movements of a mixed nature.

In West Africa this year the crises in Sierra Leone and Guinea-Bissau forced hundreds of thousands of people to flee their homes. Half a million Sierra Leonean refugees have put an enormous additional burden on countries that have generously given asylum to refugees for years, in spite of their limited resources. There are 350,000 refugees in Guinea alone. Liberia, a country emerging from years of war, hosts almost 90,000 Sierra Leonean refugees.

Both in Sierra Leone and in Guinea-Bissau conflicts have ended thanks mostly to regional efforts. Peace must now be consolidated in both countries. This will be a particularly difficult exercise in Sierra Leone, where unprecedented levels of violence were reached during the conflict and where fighting continues in some border areas not yet under the full control of the Government and the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG).

The return of refugees and internally displaced people must be an essential component of peace-building in all these countries; it must be well-planned and well-supported, and must include a reintegration component. The Sierra Leonean Government, in particular, must be encouraged to establish a dialogue between the affected communities. Without reconciliation, peace efforts will be fruitless. UNHCR stands ready to play its role in the repatriation of Sierra Leoneans and to complete the repatriation of Liberians. In order to promote return and repatriation, and indeed a durable peace in West Africa, countries in the region must also begin to closely consult among themselves.

West African countries, through the harsh experiences of many conflicts, have been striving to build a regional capacity for conflict resolution. These efforts require more international support. On our side, we have established closer ties with ECOWAS. On the broader level, more substantive logistical and other material support must be provided to ECOMOG, whose presence continues to be necessary in Liberia and Sierra Leone. A well supported and truly multinational ECOMOG is indispensable to the peace and security of a region that has already had its share of violence and refugees, and may provide a useful model for similar arrangements in other regions of Africa.

I could speak of several other situations in which the absence or collapse of a stable peace makes it very difficult for UNHCR to seek solutions to refugee problems — which, I wish to remind the Council, is a fundamental component of my mandate. But I do not wish to limit this presentation to a list of problems. I prefer to look ahead, and suggest a few issues on which we can move forward. I stress "we" because, although resolving conflicts is an eminently political task, and although my responsibilities are clearly limited to the humanitarian sphere, they can be carried out only with political support. Let me add that conflict-resolution efforts can in turn benefit from well-planned, timely and effective humanitarian action.

I would like to indicate three areas on which we can focus together. First, the complexity of war and the fragility of peace in many parts of the world mean that new outflows of refugees, or movements of internally displaced people, can happen at any time. I am extremely concerned, for example, by the possibility of renewed conflict in the Horn of Africa, a region traditionally prone to large-scale population displacement, or in Central Asia, where efforts to build the local capacity to deal with refugee and migrant movements have not eliminated the risk of forced displacement. My request to the Council is that when it discusses ongoing or potential conflicts it not overlook the human displacement factor, which — as events have abundantly proved — is often an effect, but can also be a cause, of conflict.

On our part, we shall continue to address refugee and returnee emergencies as promptly and effectively as possible, not only by deploying human and material resources to respond to actual crises, but also by improving preparedness measures and adapting them to new situations. Earlier this year, for example, we were asked to make contingency plans for a possible outflow from Iraq. In May, unrest in Indonesia prompted us to dispatch emergency-preparedness teams to neighbouring countries. Although in these cases a crisis was, fortunately, averted, we remain prepared in both regions. We also stand ready to provide training and advice to Governments and non-governmental agencies in countries prone to refugee influxes, as we did in South-East Asia. Building our emergency capacity has been one of my foremost priorities. I continue to attach the greatest importance to this aspect of our work, and, with the Council's help, I intend to maintain and improve our ability to prepare and respond to refugee emergencies.

Secondly, we must focus more concretely on the relationship between security problems and humanitarian situations. I am talking of insecurity affecting humanitarian operations as a whole — of refugees or returnees, of communities hosting or receiving them, as well as of international and national staff working with them.

The Secretary-General's report to the Security Council on Africa clearly identified this problem as a real threat to peace and security. It recommended that my Office cooperate with the Department of Peacekeeping Operations in drawing up proposals for the establishment of international mechanisms to assist Governments in maintaining the security and humanitarian nature of refugee camps and settlements. In commenting on the

report before the Council then, I said in July that our preferred approach was to develop a "ladder" of options: from the "soft" option of providing training and support for the building of national law enforcement capacity, to "medium" alternatives of deploying international civilian or police monitors, to the "hard" international peacekeeping solution — with a preference, however, for subregional arrangements. Together with the Department of Peacekeeping Operations, we have developed a set of proposals.

Let me express my strong hope that the continued interest of the Security Council in this issue will help turn proposals into concrete mechanisms. While we can continue to work on the "soft" options — and we are indeed already applying them in certain refugee situations, for example, in Kenya or Tanzania — and while multinational peacekeeping solutions require Security Council approval, I would like to focus the Council's attention on the "medium" options involving, for example, deployment of police or other supervisory forces in support of local law enforcement mechanisms. "Medium" options and subregional peacekeeping may be the most viable solutions in many situations, but they require the support and active involvement of Governments, so that standby arrangements can be put in place.

In the past, UNHCR and its partners often faced intractable situations alone. I do not want this to happen again — hence the importance of establishing concrete mechanisms soon, with well-defined procedures to activate them. As a user of such mechanisms — on behalf of refugees — I would like to be aware of which type of security support I can count upon in case of need. Predictability is crucial to the effectiveness of any security mechanism.

Thirdly, I believe we must pay much more attention to post-conflict situations. If war has changed, so has peace. In our work in support of refugee repatriation, we often deal with people who have fled a conflict and have now returned to live with others who may have been on the opposite side of the same conflict. In current post-conflict situations, the return of refugees, necessary as it may be to the peace-building process, often complicates it. We see this in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia, where 1.8 million people remain uprooted and where minority returns continue to face serious political, administrative and security obstacles. We see it in Rwanda, where 25 per cent of the population are recent returnees and where — while humanitarian assistance dries up for lack of funds — development activities do not start, given the precarious political and security situation and the limited capacity of the Government. This may further weaken a very fragile peace.

I am, of course, aware that the transition from war to peace is a very complex problem, much broader than issues of human displacement. The large-scale return of refugees and displaced people, however, is very often a key element of post-conflict situations. When peace is negotiated, more attention must therefore be paid to creating conditions for the peaceful coexistence of divided communities. Rehabilitation and reconciliation activities are fundamental elements of peace-building and must be planned and implemented much sooner, while humanitarian agencies, such as my Office, concentrate on their areas of expertise — helping people return and be reintegrated in their communities.

The example of Bosnia and Herzegovina, however, clearly shows that reconciliation is also a political process. The resolve of the international community to promote minority returns as an essential component of the Dayton Peace Accords should not be weakened by its parallel efforts in Kosovo. I had declared 1998 the year of minority returns, but this has been less successful than we hoped. A significant number of minority returns must therefore occur in 1999, and I welcome the commitment of the international community, expressed by the High Representative, to achieve a substantial breakthrough in this respect. The willingness of national and local authorities to restore intercommunal dialogue is indispensable, but so is a positive attitude by the people concerned. This is perhaps the greatest challenge of the return of refugees to situations of fragile peace, in Bosnia and elsewhere — and, I would add, of post-conflict situations in general: that peaceful coexistence be accepted by divided communities living together again, rather than simply be enforced upon them.

Humanitarian challenges, more than ever, are closely linked to the Council's efforts in bringing unresolved conflicts to an end and in maintaining peace in countries and regions emerging from war. My Office is ready to play its role in dealing with the humanitarian aspects of these situations: helping refugees and other people displaced by war and assisting those who are no longer displaced, but who must rebuild their lives. In doing so, we can be successful only if Governments understand our problems and cooperate with us. I count on the Security Council to promote their vital support.

The President: I thank Mrs. Ogata for her comprehensive briefing and her intellectually stimulating presentation.

I shall now give the floor to the members of the Council.

Since we are embarking on a new procedure today, I want to remind colleagues that, since this is a briefing, we will be opening the floor for questions and brief comments, as opposed to our usual statements.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): I am glad to welcome Mrs. Ogata once again to the Security Council.

I have two comments and two questions. My first comment is very simple: we share your assessment, Mr. President, of the briefing which was just given to us by Mrs. Ogata, and we reaffirm our support for the activities of the Office of the United Nations High Commissioner for Refugees (UNHCR).

My second comment regards the subject with which Mrs. Ogata began her statement — namely, the fate of the regional representative of UNHCR in the Northern Caucasus, Mr. Cochetel. We have already discussed this question with Mrs. Ogata today at our meeting with her, and I wish to reaffirm that the Russian Government is doing everything necessary in order to ensure the release of Mr. Cochetel as speedily as possible. We spoke in detail about efforts in this area when Under-Secretary-General Sergio Vieira de Mello was in Moscow recently, and we are counting on this question's being resolved in the very near future.

Now I wish to ask my two questions. We have heard today that the problem of the refugees and displaced persons in Kosovo — which we hope will be successfully resolved — should not force us to forget about the problems of refugees in other countries in the territory of the former Yugoslavia, where there are an enormous number of people still unable to return to their homes.

Mrs. Ogata has already noted that the process of the return of the refugees — in particular, the return of the national minorities — is not going very quickly. We encourage UNHCR and, naturally, the High Representative, to do everything possible to speed up this process. This is important not only for Bosnia, but also for Croatia, in the territory of Eastern Slavonia.

Therefore, my question is, as the problem of the mass return has not yet been resolved, what is the situation regarding rendering international assistance to those countries in whose territory there continue to be hundreds of thousands of refugees? Are there sufficient means for that? And, if not, then why not? Perhaps there is a need to appeal to donors for additional support here.

My second question is the following: Mrs. Ogata spoke of the existence of the "soft" option for action in conflict situations, of the possibility of the establishment of United Nations peacekeeping operations and of the "medium" option by which the regional organizations could deploy their peacekeeping operations. I agree that all of these options need to be taken fully into account, and I am sure that when necessary, the Security Council will support each of these three options.

Recently, however, voices spoke up in favour of what we might perhaps call the fourth option. Statements have been made to the effect that the humanitarian crisis in a given country in itself is already sufficient grounds for unilateral armed intervention, without any kind of decision by the Security Council. As regards the political and international legal implications of such statements, we understand the sense here that this is a totally unacceptable approach, running counter to all the bases of the existing system of international relations. I would like to know — regarding the humanitarian aspect of this problem — whether there are possibilities now for Mrs. Ogata to say what might be the humanitarian consequences in case such ideas of unilateral humanitarian interference with the use of force were implemented, regardless of the existence of decisions of the Security Council. What might be the consequences for the humanitarian situation and for operations of the humanitarian agencies?

Mr. Amorim (Brazil): It is indeed a very positive initiative that we are meeting today to listen to Mrs. Ogata in an open format. I think that corresponds to the desire for transparency not only of the members of the Council, but also of the United Nations Members outside the Council. I have to commend you, Sir, for taking this very important initiative and also thank Mrs. Ogata for agreeing to talk with us under this format.

If I may be allowed this brief comment, this is all the more important as we know that, even in the statute of the Office of the United Nations High Commissioner for Refugees (UNHCR), the Security Council is supposed

to receive policy directions from the General Assembly and the Economic and Social Council. Of course, we do recognize, as the subject today shows, the interrelation between security matters and refugee and humanitarian questions. It is very appropriate that we deal with this interrelation in this forum, but it is also very positive that we do it in an open fashion.

Concerning this division of labour, I would also like to make a quick comment on the perception of some that there is an automatic correlation between the notion of collective responsibility and the concept of collective security in the humanitarian field. I would like to note in this regard the statement made by Mrs. Ogata on 5 October, in which she said that the prevalence of the use of military force over political negotiations slows down or even blocks solutions to refugee problems. I think we see these questions very much in the same light and, as I said, although recognizing that there is this interrelation, her explanation today showed us that the refugee problem may be not only a consequence of armed conflict, but also a cause. So it is very appropriate that the Security Council and the departments of the Secretariat, including the Department of Peacekeeping Operations, can work together with UNHCR to solve these aspects of these questions.

If we look into the long term — if we look, for instance, into what Mrs. Ogata has described as a global solidarity agenda for the next millennium, which of course we support and call on all the other members of the Council to support — I think it is also crucial to look into what she mentioned today in relation to long-term peace-building efforts.

In this connection, I also have two questions. One relates to the former Yugoslavia. She very appropriately mentioned the question of amnesty in relation to the Kosovars in the Kosovo province of Serbia. In this connection, and going a little further, I would ask if, in situations which are not at a crisis point, as they are now in the case of Kosovo, further confidence-building measures can be looked into. I am referring to a programme of education and cultural efforts to really bring these ethnic groups together as much as possible. In other words, what I am asking is whether UNHCR could work together with other organizations, such as the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and others, in really building a culture of peace in order to make it possible to tackle these problems in the long run.

I think that the same problem is also central to the question of Africa. The cooperation of UNHCR with other organizations and support for UNHCR by other entities of this Organization are crucial. When we look at the figures in Guinea-Conakry, with 300,000 refugees and the prospect of having these people returning to their countries in a difficult reintegration process, again I think these are tasks that probably go beyond the means and the possibilities of UNHCR. So I would also like to ask Mrs. Ogata to comment on the possibility of cooperation with other organizations, including such organizations as the World Bank and UNDP, possibly under the supervision of the General Assembly or the Economic and Social Council, for the peace-building efforts in this area.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The Chinese delegation would like to thank the High Commissioner for Refugees for her briefing. We appreciate her contributions to the question of refugees.

The question of refugees has always been a salient problem in conflict areas and an important element in the settlement of conflicts. The High Commissioner's briefing shows that the massive flow and militarization of refugees have become serious destabilizing elements in Africa, especially in the Great Lakes region. The return and settlement of refugees are also keys to lasting peace and stability in post-war Bosnia.

Solving the refugee question requires us to settle not only the immediate problems, but also to tackle its root causes. While providing humanitarian assistance to conflict regions, helping to protect refugees and arranging for their voluntary repatriation and resettlement, the international community must also seek at a deeper level the sources of regional conflicts and humanitarian crises. It should strive to eradicate the root causes of the refugee problem by encouraging national unity, increasing mutual trust, promoting economic development and safeguarding the stability of the countries affected.

At the same time, we should take care not to politicize the question of refugees, which would hinder the settlement of the question. Terrorist forces in some regions, in order to achieve their political aims, obstruct the return of refugees, take them hostage by force, and extend, exacerbate and prolong humanitarian crises. Such an approach is deeply inhumane. The international community should understand this phenomenon clearly.

The settlement of the question of refugees and the provision of humanitarian assistance to them are the collective responsibility of the international community. UNHCR, the International Committee of the Red Cross and other international humanitarian organizations have long worked tirelessly to that end. Many international humanitarian workers have laboured in the most difficult and dangerous circumstances, making tremendous efforts and even laying down their lives. I take this opportunity to pay them our respects and express our condolences. The Chinese delegation supports the Department of Humanitarian Affairs and UNHCR for their ongoing leading role.

Mr. Dahlgren (Sweden): We welcome this briefing as part of a regular exchange of views between the Security Council and the Office of the United Nations High Commissioner for Refugees (UNHCR). My delegation also welcomes the format of this briefing and I want to thank you, Sir, for arranging it. We hope that this can also be a regular feature of the future work of the Council.

Let me at the outset not only thank Mrs. Ogata for her comprehensive briefing, but also, on behalf of my Government, extend a strong tribute to her and to all those who work in the organization that she leads, not only for their immense efforts in the field all over the world, but also for the forward-looking ideas and suggestions that she has put forward here today to us.

The Security Council lately has devoted increasing attention to refugee protection in a thematic manner. Two examples of that are the follow-up to the Secretary-General's report on Africa and his report on protection for humanitarian assistance, with largely, I would say, overlapping recommendations and conclusions. My delegation particularly appreciated Mrs. Ogata's comments on the work to develop a range of options to create secure environments for civilians endangered by conflict, as well as what she said on the role of the Security Council, UNHCR and other actors in the most serious situations when security problems escalate.

The members of the Security Council are right now negotiating a draft resolution on the security of refugee camps and settlements as part of our follow-up to the Secretary-General's report on Africa. We would hope that the outcome of these and other discussions that we are having on the follow-up to the report would be to make the Council and other parts of the United Nations system better prepared to deal with difficult security issues in crisis situations. I hope that the High Commissioner will continue to keep the Security Council informed on refugee issues raising security concerns.

One question that I would like to address to Mrs. Ogata is how she feels that one could bridge the gap, as it were, between the traditional UNHCR mandate and the Council's responsibility for international peace and security, in order to make the lateral options reality. Is there a need for new mechanisms for cooperation or for a better use of existing ones? It will be interesting to hear her comments on that.

If we have time, it will also be interesting to hear the High Commissioner elaborate somewhat further on how she assesses prospects for minority repatriation in Bosnia and Croatia in 1999. The question we ask is, of course, whether the major UNHCR effort in Kosovo will affect engagement in Bosnia and Herzegovina financially and otherwise.

Mr. Satoh (Japan): First, I would like to express our deep appreciation for the efforts of Mrs. Ogata and the staff of the Office of the United Nations High Commissioner for Refugees (UNHCR) in tackling these very difficult — increasingly difficult — issues. If I may say so, as a fellow countryman, she is a source of pride to us.

We have to face the reality of this issue. I share Mrs. Ogata's assessment and her concern, and I want to endorse what she said. I am glad that she touched upon the question of the insecurity of staff, which is a very important issue. We need to pursue further how to turn it from a question of insecurity into a question of security. I would particularly like to underline the fact that the question of the security of staff working for UNHCR or in other humanitarian activities could have a far-reaching effect; since they are mixed with other victims of war, refugees or displaced people, their protection could eventually also work to protect the other people. Therefore, this is a matter which we should pursue more robustly in the coming years.

I was encouraged that Mrs. Ogata focused on African matters, because Africa is yet another hot spot with regard to refugee questions. She talked about the need for a regional approach to a comprehensive framework for Central Africa. The dilemma for us is that the political support is lacking. My question is: Has she any suggestions, based upon her own experience in the field, on how to arouse anew political support for this sort of regional approach in Africa?

Mr. Monteiro (Portugal): My delegation joins the delegations that have already spoken in congratulating you, Mr. President, on convening this meeting. I must recall that it is a consequence of a movement initiated a long time ago by, I think, all members of the Security Council. But I would like to pay tribute to five countries which are no longer members and which started a movement last year, with other members of the Council, to make some proposals on the Council's working methods. One proposal concerned the possibility of public meetings, and we are very happy that it has been implemented. The countries no longer on the Council that signed the relevant document last year were Egypt, Chile, Guinea-Bissau, the Republic of Korea and Poland. We should pay tribute to them.

It is not only a question of transparency. As a matter of fact, it is a question of better participation of all the membership and of all of us working together towards the same goals. This is why the Security Council is involved in this question.

I must pay tribute to you, Mrs. Ogata. You started practical steps that led us to this session today. We heard you last year in informal consultations, following which we had a presidential statement on the matter for the first time. There was another presidential statement this year after we had heard your suggestions and comments. These statements that we adopted — and I think sometimes we have to work in a more systematic way — contain some ideas regarding protection of United Nations personnel and other international personnel. For instance, in both statements we recalled the Convention on the Safety of United Nations and Associated Personnel, adopted by the General Assembly in December 1994, which has not yet been ratified. I would like to profit from your presence, Mrs. Ogata, by asking whether you think that, even with its shortcomings, people would like this Convention to have an enlarged scope, and whether we could do something to ratify it. Can you do something to help implement what we have already said twice in our presidential statements?

This is also mentioned in the report of the Secretary-General on protection for humanitarian assistance to refugees and others in conflict situations, where we see a certain number of recommendations that are very useful, some of which you have addressed today. I am very encouraged to see that some of these recommendations are already being translated into practical measures. That is why my delegation welcomes so much your contribution today and the idea that we are not working in theoretical terms; we are doing something concrete.

I have no comments on what you said, Mrs. Ogata, but seek some clarification. I do not need clarification on Kosovo; you were very explicit on that. But clarification is necessary with regard to the political support that you receive for Kosovo compared with the lack of political support for other situations — you mentioned Afghanistan and Sudan. There are movements, even in the United Nations, regarding these two situations, which are very dangerous, and there are groups of countries and even directors of non-governmental organizations in the international arena working on them, and I would like to hear what you think it is possible for this Council and this Organization to do; it has been recalled that the General Assembly has the primary responsibility here. But we are all involved, including the Economic and Social Council. What could be done to give the same or more consistent political support to these two cases that you have mentioned?

You mention a number of matters with regard to Africa. We all know that Congo is central — the Democratic Republic of the Congo and Rwanda. These are all the problems of refugees, internally displaced people and forced population movements that you mentioned. One you pointed to that worried us so much in the past, in addition to demobilization and the reintegration of ex-combatants, is the flow of arms. Another is the separation of refugees from other entities that sometimes use the refugee camps for other activities. Are we doing something concrete about these questions? Is UNHCR involved and doing something practical?

This point is mentioned in the report of the Secretary-General, and addressed as well in the draft resolution we are preparing on the security and humanitarian and civilian character of refugee camps and settlements. I very much hope the Council will be able to adopt that draft resolution next week.

You mentioned three areas where all of us have to work together. We have already mentioned the complexity of wars and the fragility of peace. Your point that we should look at the human displacement factor is also very important. I think we can do something only if we look at the rights of the human being, at human rights.

There is another central problem, one I know you are very concerned with, as you yourself have already told this Council on previous occasions; I would like to ask you about the question of coordination between your own Office and the Office of the United Nations High

Commissioner for Human Rights. Are they working together? Is the coordination working? I will return to the question of coordination with regard to the third area you mentioned.

In the second area, you mentioned "soft" options and "medium" options. I exclude the fourth option, mentioned by Ambassador Lavrov, but you mentioned three other options and very much recommended the adoption of "medium" options. I agree with you on that. My country, for example, is very much in favour of the creation of a rapid deployment force to be used, if necessary, to help secure a certain kind of critical situation. But are we working towards creating that? I know that you are probably suggesting it, and in the draft resolution we are preparing we have something relating to stand-by arrangements on this. I know you work very closely with the Department of Peacekeeping Operations and Member States on these draft resolutions, but do you think that we can and should really move more quickly in this area?

You mentioned the link to subregional peacekeeping, and this is very important. For instance, you mentioned the situation in Guinea-Bissau. Is your Office already preparing something for the new phase? We have an agreement, we have a subregional effort by the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG), and are we already preparing something concrete to help this operation? I know you are making an enormous effort in Sierra Leone. In regard to your point about the necessity of dialogue and national reconciliation: we have that in Guinea-Bissau. Are we therefore doing something on this question in concrete terms?

Finally, regarding post-conflict situations and the return of refugees, this is often a factor that complicates situations. That is why I think coordination is so important, coordination among all the bodies and departments of the United Nations and with other international actors, as well.

Here I would like to ask you one thing. I know amnesty is very important as an element of confidence-building, and I believe that is what is being prepared in Kosovo. On the other hand, the rule of law should guarantee that situations cannot happen again, that people and leaders are accountable for their own acts. I know you are very much in favour of the International Criminal Court, and I would like to know if we are working in that sense. Because I think this is very important; human security is the only way of guaranteeing stability and peace. Therefore, I would like to know what, in these more critical situations, you are doing in that sense. I would appreciate it if you could give us more details.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): My delegation would like to thank you, Sir, for organizing and presiding over this open meeting, thus enabling us to hold a public debate. This clearly demonstrates that you are interested in holding meetings which are transparent, as has been advocated by numerous delegations. We are therefore grateful to you for having made that effort.

My delegation would like to speak about the humanitarian agencies. We in no way wish to diminish the importance of the refugees. In fact, what we see is enhanced interest in the refugees. Given all the tragedies and tragic situations which we hear about concerning refugees, we know that the actions of the humanitarian agencies that are trying to bring humanitarian assistance to the refugees are no less important than the refugees themselves.

My country feels that by assuring the security of these agencies and providing them proper conditions for work, we are attaching the same level of importance to them as to the refugees themselves. Indeed, how can humanitarian assistance be delivered if there is no conducive environment for delivering it through these agencies? Numerous kidnappings, killings and incidents of blackmail have targeted those responsible for the delivery of humanitarian assistance.

As we take up these problems today, and with my delegation's full appreciation for the tireless work she is doing for the refugees, we would like to ask Mrs. Ogata whether there are sufficient assurances for the protection of humanitarian agencies as they deliver humanitarian assistance to refugees. And if such guarantees exist, have they been legally codified?

We know that the General Assembly adopted resolution 52/167 on 16 December 1997 to this end, but is that sufficient? Moreover, if such safeguards or assurances are being provided, do they indeed take shape in reality, in the field where the humanitarian agencies are functioning in conflict areas? Are security guarantees provided to these agencies in the field?

Those are my delegation's concerns regarding the humanitarian agencies that are working to deliver humanitarian assistance to refugees, and I reiterate that

this issue is no less important than the question of the refugees themselves.

Mr. Sáenz Biolley (Costa Rica) (*interpretation from Spanish*): We, too, are very pleased to see that under your leadership, Mr. President, the Council is holding this open debate today to hear the briefing presented by the United Nations High Commissioner for Refugees, Mrs. Ogata, to all the Members of the Organization.

We believe that today's open meeting is a pioneering step in what has been indicated as the right direction, the direction of transparency and democratization of the Security Council. Costa Rica trusts that this could become a definitive precedent for the customary proceedings of the Council so that all reports and briefings by the Secretariat and by specialized agencies and agencies involved in matters of international peace and security would be presented to the Council in this manner.

In accordance with decisions taken in informal consultations, we made a list of concerns and questions for Mrs. Ogata. However, many of them have already been covered in her initial statement. We should therefore like to make some general comments and focus on particular points.

We attach great importance to what Mrs. Ogata said about the political support and pressure needed in order to resolve conflicts that violate international peace and security. Frankly, discrimination or focusing on certain issues at the expense of others is not acceptable to us. We believe that even-handed, but constant, pressure is necessary wherever there is conflict.

With regard to the situation in Kosovo in the Federal Republic of Yugoslavia, Mrs. Ogata referred to the need for certain political and legal actions and steps that could help consolidate the humanitarian situation of the civilian population affected by the conflict. We take note of the possibility of an amnesty, which we consider to be interesting and useful. It should be seriously considered by those involved as part of an effort to strengthen the humanitarian situation. It seems to us that an amnesty would be a good step to take, but we also believe that other concrete actions should be taken to promote respect for the legal order and the rule of law. Above all, we believe that such measures must not used to perpetuate impunity with respect to violations of human rights committed in the past.

I should also like to refer to the general situation with regard to refugee camps, a matter with particular impact in the African regions affected by armed conflict. Costa Rica attaches the greatest importance to the security situation in those camps. As we all know, it not only affects the conditions in which humanitarian assistance is delivered, but represents a real threat to the people living in the camps. We would like to know the High Commissioner's thinking about that situation, and in particular her view on the effectiveness of existing measures to guarantee, for example, the separation of civilians and combatants, which is a key element.

With regard to my earlier comments about the need to clear sufficient space to allow for political pressure leading to conflict resolution, it seems to us that it is necessary to continue the political measures that have been carried out in the Democratic Republic of the Congo with a view to rapidly arriving at a ceasefire. We are concerned that the present concentration on achieving a ceasefire might relegate humanitarian issues to second place. We would also like to stress the urgent need to discuss and agree quickly on arrangements with regard to the humanitarian situation in that country.

We have always emphasized the need for innovative solutions and novel mechanisms with regard to the humanitarian situation and, as we have said, the security situation in the refugee camps. We have, for example, emphasized that the precedent provided by the Tripartite Commission in Burundi and Tanzania is a step in the right direction. We would like to know whether Mrs. Ogata has a new assessment of the evolution of the work of that Commission and, above all, whether there is a possibility of such arrangements being applied in other regions where there are conflict situations with humanitarian consequences.

In conclusion, we would also like to refer to the future measures envisioned by Mrs. Ogata. In particular, we would like to emphasize the issue of multidisciplinary peacekeeping operations. We believe that that represents an important achievement in the doctrine and practice of the United Nations, in large measure — as was said earlier — inspired by concepts which the High Commissioner has constantly brought to the attention of the Security Council. Of course, we feel that humanitarian assistance is a crucial element in broadening United Nations peacekeeping operations. However, we would like to underscore that we believe the major lesson to be drawn is that, given the complexity of conflict situations, the disciplinary scope and the nature of such operations should be further broadened to cover other relevant areas in relation to peace-building, as

Mrs. Ogata said. We would like to make that clear and to learn the opinion of the High Commissioner about that process of broadening the multidisciplinary nature of peacekeeping operations.

Mr. Jagne (Gambia): My delegation is grateful to Mrs. Ogata for her comprehensive briefing on a subject of particular concern and interest to the international community: the perennial problem of the plight of refugees. We are particularly delighted to note that the Office of the United Nations High Commissioner for Refugees (UNHCR) has established closer ties with the Economic Community of West African States (ECOWAS), as far as the West African subregion is concerned.

As the High Commissioner has rightly pointed out, West Africa has had its fair share of conflicts, but, with the great regional efforts deployed so far, peace is gradually being restored to the region. It goes without saying, however, that as we have limited resources we will need the support of the rest of the international community to complement our own efforts. The most recent example is the recent signing in Abuja of the agreement between the Government of Guinea-Bissau and the self-proclaimed military junta which, *inter alia*, guarantees free access to humanitarian organizations and agencies to reach the affected civilian population. That is very commendable indeed; it is the way it should be, for no degree of political expedience is worth the sacrifice of human lives in a ruthless and inconsiderate manner, such as the denial of access to humanitarian assistance.

We hope that the rest of the international community will heed our appeal so that the momentum generated is maintained for the consolidation of the peace process in all the countries that Mrs. Ogata mentioned in her briefing this morning.

Mr. Eldon (United Kingdom): Thank you, Mr. President, for taking the initiative in calling this meeting. The efficacy of the format is, I believe, amply demonstrated by the stimulating, interesting and very useful briefing that Mrs. Ogata has given, and I should like to pay a considerable tribute to her. Like others, we hope that we will be able to use this format again in the future.

Time is short, and I would like to concentrate very much on questions rather than statements. But one point I should like to make of a rather more general nature is that in managing crises, whether of a humanitarian, political or security nature, it is vital to have a regular flow of reliable information. That is as true of humanitarian crises in Africa as it is in other areas. We are very pleased that briefings in Geneva of donors on the subject of the Great Lakes by the Office of the United Nations High Commissioner for Refugees (UNHCR) will now take place every fortnight. We appreciate the amount of information now available on that region. We hope that more can be made available on the refugee situation in West Africa.

In the context of maintaining the civilian and humanitarian nature of refugee camps, the Secretary-General's report on Africa referred to a UNHCR initiative addressing security issues among Burundian refugees in Tanzania. We would be very grateful for more information on the progress of what seems to have been an extremely valuable initiative. We would be interested to hear from the High Commissioner what lessons were learned, and whether she feels they can be applied elsewhere. We would also be interested to hear what other steps UNHCR is contemplating in follow-up to the Secretary-General's report.

On the former Yugoslavia, UNHCR's performance in Kosovo will be a further, and very important, test of the agency's ability to deliver. Our own initial reports, borne out by Mrs. Ogata's briefing, indicate that it is tackling the job well in very difficult circumstances. We would be particularly interested to hear further information on when the conditions are likely to be right for the refugees to return. How many internally displaced persons are there now, and in what conditions are they living? Is the High Commissioner satisfied with the arrangements in place in Kosovo for protecting UNHCR staff against various security threats such as landmines?

But, as others have indicated, Kosovo is not the whole story in the former Yugoslavia. We would also be interested in Mrs. Ogata's assessment of minority returns to Bosnia. We note that Mr. Carlos Westendorp, the High Representative for implementation of the Peace Agreement on Bosnia and Herzegovina, has said that 120,000 returns are possible in 1999, as opposed to between 35,000 and 40,000 for this year. Is this figure realistic, and is UNHCR content that it has the resources to protect such a large number of returnees?

I shall leave it there, with many thanks to you, Mr. President, and to Mrs. Ogata.

Mr. Türk (Slovenia): Let me first express our gratitude to you, Mr. President, for having convened this briefing in the form of an open meeting and for having

given us the opportunity to listen to the very important and penetrating analysis provided by Mrs. Ogata. I would like to thank Mrs. Ogata for her excellent briefing and for the wealth of information she provided us. Moreover, I would like to commend her and her colleagues for the work they have done in difficult circumstances in many parts of the world, in a situation that she described in her briefing as one in which decisive international involvement in conflict resolution is not the norm. I would like to add that the tendency to substitute humanitarian work — or humanitarian discussions — for political action is still a serious problem.

Mrs. Ogata has provided us not only with a wealth of information but also with a wealth of ideas. I think that one central message of her briefing is particularly important for the Security Council. She said that cooperation by Governments with the Office of the United Nations High Commissioner for Refugees (UNHCR) is of particular importance, along with cooperation among Governments in the efforts to solve humanitarian problems and the problems of refugees.

Our Government is very well aware of the central importance of the cooperation of Governments in these efforts. A specific expression of that is Slovenia's activity in demining in Bosnia and Herzegovina. We see tasks in the field of demining as central to creating the conditions for the return of refugees in Bosnia. This is a priority to which we would like to devote our energies, and we hope that the effort will be successful.

Certainly, the idea of cooperation by States has many applications. At the preventive stage, the role of the Security Council is indispensable. During times of outflows of refugees, guarantees of security in refugee camps are of primary importance; we note with particular interest the points made by Mrs. Ogata concerning the so-called medium alternatives: the provision of police and other personnel for guaranteeing security in refugee camps. Then, at the stage of post-conflict peace-building, there is a variety of complex tasks.

I would like to add one thought to this central idea of international cooperation, which is essential for the success of assistance to refugees and for the return of refugees. There are situations — and we have seen one very recently — where resolute political action is the most important part of cooperation: resolute political action to ensure respect for Security Council resolutions, to stop attacks against civilian populations, to remove the fear existing in the affected areas, and thus to create conditions for the return of refugees and displaced persons. This may be the central, and the most important, form of cooperation needed in some circumstances. As the case of Kosovo has shown, this can happen; and when it happens, it can happen in accordance with the Charter of the United Nations.

Those were general comments I wanted to make. I would like to conclude by asking a specific question. In her briefing, Mrs. Ogata referred to the situation in the Great Lakes region, and especially to the Burundian refugees in Tanzania. She mentioned the figure of 260,000 Burundian refugees in Tanzania, and said that there was a growing mixture of refugee flows, internal displacement and repatriation movements. We learned from previous briefings by Mrs. Ogata that the tripartite cooperation among Rwanda, Burundi and Tanzania has been a moderately successful experience. We would like to learn more about it; maybe Mrs. Ogata could share her views on this matter as it stands today. This would certainly help the Security Council as it tries to deal with the situation in the Great Lakes region: a situation that is fraught with danger.

Mr. Mahugu (Kenya): I would like to thank you, Mr. President, for having organized this briefing for us to listen to Mrs. Ogata on this very important issue. I also welcome the new format of holding Council consultations in this transparent manner.

I wish to register my delegation's support for the invaluable assistance that the Office of the United Nations High Commissioner for Refugees (UNHCR) continues to give to refugees and displaced persons. Today, the nature of conflicts has changed. More and more, we are witnessing innocent civilians and humanitarian personnel becoming the targets of armed conflict, as warring parties seek to deliberately use attacks for political and military objectives. In addition, in recent years we have witnessed the alarming emergence of armed elements in refugee camps. In these situations, there is a culture of impunity that the international community needs to address, a point that speakers before me have mentioned.

Let me cite some specific cases. In the conflict in Kosovo, for example, civilians became the target. As a result, the destruction that the conflict left behind has a great adverse effect on civilians. This is reflected in the estimated cumulative displacement of over 200,000 persons at the height of the conflict. In addition, an estimated 50,000 persons were forced from their homes into the woods and mountains. In addition, humanitarian

organizations were not able to deliver assistance to these needy people because of the lack of security brought about by the nature of the conflict.

Turning to my own continent, Africa, given our limited resources, my delegation urges the international community to participate more actively in burden-sharing in areas such as appropriate capacity-building activities, training and advisory services to accelerate the enactment and implementation of legislation relating to refugees. Organizations such as UNHCR, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights and the International Committee of the Red Cross are faced with enormous challenges in their humanitarian activities. The Security Council can play an important role in helping address these challenges. Based on the experience of lessons learned from recent conflict situations, the Council can provide an important lead in the protection of refugees and others in conflict. In this regard, I would like to acknowledge UNHCR for its ongoing programmes aimed at assisting host countries such as Kenya and Tanzania, as we have heard from the High Commissioner.

With regard to the presence of armed elements in refugee camps, my delegation would like to inquire of Mrs. Ogata what measures are being taken, first, to ensure the protection of bona fide refugees; and secondly, to ensure that assistance meant for bona fide refugees benefits them and not armed elements?

Finally, to conclude, I think it is worth recalling today the open debate the Council convened in September on protection for humanitarian assistance to refugees and others in conflict situations and, indeed, the report of the Secretary-General submitted to the Council for that meeting. I hope that all those who have a role to play in addressing this important problem will begin to implement the recommendations contained in that report, which I thought were very appropriate and relevant to the problem we are dealing with today.

Mr. Dejammet (France) (*interpretation from French*): I thank you, Mr. President, for having taken the initiative to organize this most timely debate.

I would like to thank Mrs. Ogata for having referred to Mr. Cochetel at the very outset of her intervention. Mr. Cochetel, a high-ranking official of the Office of the United Nations High Commissioner for Refugees (UNHCR), is also our compatriot and has now been held hostage for several months. It seems to me that this case unfortunately illustrates the dangers which the staff of UNHCR are actually subject to on a daily basis. This does them honour, but at the same time it emphasizes the seriousness of the problem of protection for humanitarian assistance, which is a subject on which many members of the Council have already spoken.

In that spirit, and bearing in mind situations in which this problem of protecting humanitarian assistance and the staff of UNHCR arises or has arisen or will arise, I would like to recall two specific situations, namely, Kosovo and the Great Lakes region.

With regard to Kosovo, I would like to ask Mrs. Ogata whether, from her point of view, the arrangements which have been contemplated or which are being implemented for the protection of international staff who will be active in Kosovo seem appropriate to her; in other words, can UNHCR comment on the measures taken to cope with situations such as that which led to Mr. Cochetel's being taken hostage or that, fresh in our memory, which took place recently in Bosnia?

That is what I wish to say regarding Kosovo. On the other subjects, we are convinced that UNHCR will act effectively to try to facilitate the return of refugees and their re-establishment under the least awful conditions possible.

With regard to the Great Lakes region, I also believe that the problem of protecting humanitarian assistance is a vital subject. I would like to know Mrs. Ogata's view — even if only considering history, recent history — of the fact that the Security Council, after having planned for the protection of humanitarian assistance in Kivu in November 1996, finally gave up trying to assure the deployment of a multinational force. I know that this is a somewhat political issue, but, in the light of past experience and the information we subsequently received, I would like to know whether Mrs. Ogata believes that this was a good or, as we ourselves believe, a bad decision on the part of the members of the Security Council?

At the present stage, I would also like to know — again with regard to the Great Lakes region and particularly Kivu — what the High Commissioner's feelings are regarding the humanitarian situation in the Kivu area; the extent to which UNHCR believes it can make its presence known once again in a region which is clearly experiencing the problems associated with forced displacement; and in what form and with what possible

protection can UNHCR play its necessary role in this region of the world?

Other questions arise with regard to other regions where the problem of protection is perhaps a bit less pressing, for instance, in areas where there is a great number of refugees. UNHCR is attempting to cope with the problem of the survival of those refugees in a most outstanding manner. However, given the lack of political settlements, to what extent is the action of UNHCR not in fact an excuse in the absence, or rather the inability of the Security Council or the members of the international community to try to settle underlying issues? I am thinking here of the considerable number of refugees still in Conakry, Guinea — I believe the figure is 350,000 — and of those still in Tanzania.

The question is this: with all the practical knowledge that you and your colleagues have about the problems which exist in refugee camps and your knowledge of the wishes and desires of the refugees, are you in a position to share with the members of the Security Council, as well as with the leaders of those regions, your concerns, or perhaps outlines, for a solution to those problems? I am thinking once again, for example, in terms of the Great Lakes region and the refugees who are still there and the misgivings they may still have which prevent them from returning to their native lands. Are you in a position to make known to the leaders of the countries of origin of these refugees what proposals might allow for national reconciliation to facilitate their return? Or do you believe that this is not the role of UNHCR and that you can share your concerns with the local leaders and with the Security Council but that you need to cope with the daily survival problems of these refugees as a matter of priority and cannot beyond that play the political role which perhaps some would devolve upon you?

Finally, my last question is really more of an observation. I noted in your intervention that you also foresee drawing up plans for future cases of humanitarian tragedies. You mentioned the case of the Middle East. As my last question I would like to know whether those plans are still relevant; that is to say, whether you still have plans regarding potential refugee flows if drastic crises were soon to affect the region of the Middle East?

Mr. Dangue Réwaka (Gabon) (*interpretation from French*): Mr. President, we too welcome your felicitous initiative in convening this meeting on a very important issue that is of concern to the international community: the question of refugees and others in conflict situations. We pay tribute to Mrs. Sadako Ogata and to her staff for their tireless efforts to alleviate the suffering of that category of persons and make their conditions of life less difficult. It is for that reason that Mrs. Ogata can count on the unconditional support of the Government of Gabon.

I shall be brief. In the framework of the ad hoc working group established by the Security Council following consideration of the Secretary-General's report on the causes of conflict in Africa, we have already adopted a number of resolutions and presidential statements. We are currently working on others, in particular a draft resolution on the protection of refugees in camps and which — as you yourself, Mr. President, have planned — we will adopt on 18 November. That draft covers the elements mentioned by Mrs. Ogata and will contribute to ensuring security in the refugee camps.

Last year, when Mrs. Ogata met with the African Group, she told us about the consultations she had had with African leaders aimed at organizing an international meeting similar to the ones held on the question of refugees in 1991 in Central America and, I think, in 1996 in the Commonwealth of Independent States. What is the current status of that project? We would also like to know what kind of difficulties she is encountering in organizing such a meeting, because we believe that in the context of Africa this is definitely a complex problem, but especially because at present most of the refugee flows in Africa are due to internal conflicts. While there are some intra-State conflicts, the majority are internal conflicts.

Perhaps — and here I refer to a proposal that has been endorsed by the Council in the case of the Great Lakes, for example — international efforts should be deployed to hold a conference to examine questions that have implications for these refugee flows. We said as much on 29 September when, in this very Chamber, we considered that matter. We believe that conflict resolution is at the centre of the problem of refugees in conflict situations, and are thus in full agreement with the analysis that Mrs. Ogata has just shared with us.

This is what we have consistently told the Council so that we might be able to alleviate the suffering of such persons, particularly in Africa and in the Great Lakes region. It is truly disconcerting to think of persons, abandoned to their own fate in the vast virgin forests covering that area, falling prey to wild beasts. It is a truly a horrible situation, and it is for this reason that we

continue to insist that pressure be brought to bear on the conflicting parties by those who have the means to do so to prevent innocent people, particularly women and children, from suffering. Many children cannot even go to school to obtain an education. It is no secret that people who have not been schooled in new agricultural cultivation techniques to grow food will be hard-pressed to do that work.

We will limit our comments to this issue.

The President: In the light of the time constraints, I am going to forgo asking questions or making comments in my national capacity.

I now give the floor to High Commissioner Ogata and invite her to respond to any questions or comments she chooses.

Mrs. Ogata (United Nations High Commissioner for Refugees): I appreciate very much the varied and very in-depth comments that were made by the members of the Security Council, and I should just like to respond to the questions that were directed to me. However, the questions too are very varied, and I do not know whether I can do justice to the very important issues that were raised, but I shall do my very best.

First, there was a series of questions about the modalities of military intervention. I think the particular modalities of military intervention that are chosen are really up to the Security Council and to the political leaders of the various countries. I am not in a position to say, "I like this intervention better than the others". At the same time, what I could ask is to please think of the humanitarian consequences of particular modes of intervention.

I think that I am also in a position to say that, whether an intervention is being carried out unilaterally, multilaterally or through the Security Council, there are always consequences on human movement or displacement. In this area, I should like to make a strong plea for that aspect to be kept in mind in choosing the various modalities of intervention. Sometimes interventions are necessary in order to push the political negotiations, and that I accept. At the same time, the cost also has to be considered.

Why do I now try to work with the Secretary-General and the Department of Peacekeeping Operations on the ladder of options? Because I think there has to be a better preventive measure that would simplify or prevent unnecessarily complicated and prolonged processes of human displacement. We learned this bitterly in many parts of the world, but especially recently in the Great Lakes region of Africa, where there was a mix of people in the refugee camps — innocent refugees with armed elements. We did our very best to try to separate them, but we could not manage to do so. I think this is a point that has been widely recognized by the Governments in the region as well. The separation of mixed people in refugee camps is a very important starting point, because we must maintain the neutrality and the civilian character of refugee camps if the refugees are to be protected. This is a starting point for our very serious enquiry.

I think this has been given a lot of attention. I have support from the Governments in the region for the idea that this kind of mechanism has to be addressed and to be put into practice. Also, I think that the Economic Community of West African States Monitoring Group (ECOMOG) in its consultations is looking into this, and the Southern African Development Community countries are also examining it. I think this is an area that might help prevent further complications of the kind that we saw in the Great Lakes region of Africa. If the separation had taken place earlier, I think some of the conflicts that followed in the region might have been, if not contained, considerably ameliorated. I think this is one thing that we have been working on as a preventive measure.

The delegate of Costa Rica asked if the existing mechanisms were not sufficient. There are none. There is an ad hoc arrangement based on political and strategic possibilities, but I think there may be some things that can be put in place so that at least we know where to turn when the chips are down.

I think in connection with these issues questions were also raised about why more innovative, comprehensive approaches are not employed. There have been many. I would say the approach of the International Conference on Central American Refugees (CIREFCA) was very innovative. It took longer, maybe, than we had wanted. But it was an attempt to promote refugee return, peacemaking and then development. This comprehensive approach could still serve as a good lesson if we try to look into the mechanisms that supported it. Maybe it will prove a quicker way of approaching some of the complex refugee problems.

What I wanted to raise in connection with the Sudan and Afghanistan is that these are situations that have continued intermittently for more than 20 years — 25

years in the case of the Sudan. I think there must be more room for efforts to make people suffer less and for a shorter period. This is what I am trying to encourage.

I do not have any ingredients for a comprehensive approach, but I think some of the directions that the United Nations and the concerned countries are taking may be moving in the right direction. But these are the points that I wanted very much to raise in connection with the importance of intervention, standby mechanisms and comprehensive approaches.

There was a question about how to arouse more political interest in Africa. That is a very big question. I think Ambassador Satoh asked this question. I think he was very much influenced by the experience of the Second Tokyo International Conference on African Development (TICAD II), which I would say was a development conference regarding Africa — a conference that, in its agenda, for the first time gave formal attention to the importance of governance and conflict prevention and resolution as a precondition to really launching development. I think this may be a very realistic approach that may exert some pressure for considering development in a different manner, not as if everything were certain and development could proceed along a peaceful path. Not only in Africa but in many places the lack of development is caused by a substantial lack of governance and by the need for conflict prevention and resolution.

In this sense TICAD II is a very important starting point. It would certainly link our refugee-protection and refugee-return efforts with the developmental process. I would very much welcome an examination along those lines as well.

Regarding the question of what is happening in Kivu today: recently there was a mission headed by the Office for Coordination of Humanitarian Affairs in New York, in which we also participated, at the request of the people concerned in Kivu. We were asked to go and look into the humanitarian conditions. There is no doubt that there are tens of thousands of displaced people who could turn into refugees if they were allowed to cross borders. But currently the access is very difficult. I think that whether vigorous humanitarian assistance can be provided to this region will depend a lot on how the conflicts there are resolved. I think questions of ethnicity and nationality are relevant. And in Kivu the role of the flow of arms in contributing to displacement should not be overlooked.

The Ambassador of France has asked me a very difficult question: was it good or bad that the multinational force was not deployed in 1996? All I can say is that it was an enormous disappointment for us, and that if there had been an active intervention at that time, maybe a lot of lives could have been saved. But these are the lessons that I think that the Security Council is in a position to learn, because there are all sorts of other pros and cons relating to these kinds of decisions.

What can the Office of the United Nations High Commissioner for Refugees do today in the Democratic Republic of the Congo and in the Great Lakes region besides trying to help human beings survive? That is a very tall order that we have: to try to help human beings survive, and the bottom line is that we have to help people survive. I think this is the bitter lesson we learned: we cannot return people to ideal conditions. But even if the conditions are less than ideal, we can help people survive, and they may be able to make a second choice later, when conditions improve. This is the reality that we must deal with.

I personally would not be able to play a political role, but I think that from the point of view of helping people survive, I can raise issues and bring them to the Council's attention. This is what I am very much hoping to be able to do. There are other humanitarian organizations, non-governmental organizations, that are dealing with these problems. The thing we can do is bring the reality of the fragility of peace and also the suffering of the people to the Council's attention so that it can make realistic decisions, taking into consideration the fate of the people.

The representative of Gabon asked what we are doing about conferences. I think the Central American lesson — CIREFCA — was an important one. I think the 1996 effort of the Commonwealth of Independent States (CIS) countries was also a realistic attempt to stabilize population movement. Streamlining and strengthening the legal provisions with regard to protecting refugees, managing population control and providing emergency capacity to the CIS countries have been very positive undertakings.

With regard to the countries in Africa, and especially in the Great Lakes region, we were able to have a conference in Kampala in May this year. The representatives of eight countries, for the most part Ministers of the Interior, came. There were three areas that we agreed upon. The first was that it is important to

reinforce respect for refugee protection and humanitarian principles. The second point was that the refugees should not be a menace, undermining national security. Here again the issues of refugees and security are very much intertwined. The third point was to really help the countries. All the conference participants recognized that the peace they had attained was a very fragile peace. Fragile peace can be made less fragile given appropriate investment, attention and assistance to countries going through this process. Here I think the issue of post-conflict activities became very real, because in today's world, in many places where conflicts are internal, peace is no longer a certainty. I think that traditionally in inter-State conflict you either had peace or war, but today between war and peace is a very blurred situation. Naturally, then, you have to deal with a situation in which more direction towards peace can be assured. There, the questions of education, community-building efforts and working with development agencies become very important.

I believe the question of coordination was raised. I think multifaceted coordination is what is required here — first and foremost, between the humanitarian agencies and the development agencies. But for the humanitarian agencies and the development agencies to be really working together, and for one being able to hand over to the other, the need for flows of development assistance resources should be re-examined, too, because it is usually of an "either/or" nature. The resource flow goes through Governments. We cannot hand over our operations until, theoretically speaking, Governments are strong enough to benefit from development assistance. It does not really work that way today. Therefore, I think this "in-between period" of fragile peace does not really move in the direction of better development efforts and better peace in that sense. I think there is something here — and I do not know whether it is a primary responsibility of the Security Council, but it does have security implications — regarding how post-conflict situations are dealt with.

Going back to the question of how we can arouse public support for Africa, I believe conferences are very useful. I thought the Tokyo International Conference on African Development (TICAD) was a very good first step. Right now I do not know if I can repeat a Kampala II. We have maintained close working relations with all the countries in the Great Lakes region, but I doubt very much that in the current situation they would be willing to sit together for any kind of post-conflict peace conference. I hope very much that the actual conflict will be contained and lead to some kind of a peaceful arrangement, because the people there need it very much.

There were a few specific questions about amnesty versus justice. I think many times we do advocate amnesty for those who are not war criminals. Justice, I believe, has to be put in order; but, at the same time we must take into consideration those who, because of their situations — draft evasion, for instance — perhaps were placed in an incriminating position. There are a lot of situations where we think amnesty would help solve the problem of lack of confidence. For example, in Kosovo, we believe that those who fled should be given amnesty if they go back. Just because they fled they should not be considered to be criminals. This is the kind of thing that we are advocating.

We do coordinate with human rights observers and monitors, especially when they are in the field. We have to coordinate, and we very much hope that they will be actively on the ground in many places.

There were a few questions on the tripartite mechanism in Tanzania. The mechanism is there, and I think it provided a useful beginning in trying to promote the return of Burundi refugees from Tanzania back to Burundi. We had several meetings on this, but whether it could really turn into a mechanism that can arrange for repatriation would depend a great deal on the state of suspicion and conflict in the region. So, I would say it is a useful mechanism, and I want to keep it there. But it is not really solving the situation right now.

As for Tanzania, the things we were doing in trying to help the Tanzanians we have done to some extent in Kenya, too, in terms of enhancing local security. This is an attempt to ensure the civilian character of the refugee camps, and in Tanzania UNHCR, in close cooperation with the authorities, has put in place some security arrangements. That covers 278 policemen who patrol the refugee camps in the Kagera and Kigoma regions. We provide them with communications equipment, vehicles and accommodation facilities in the camp area. We are going to do some more training of these people. We are now assessing how far we have come and seeing whether this kind of thing is useful or not.

There were a series of questions on Kosovo. If you ask me whether I am satisfied with the conditions of internally displaced persons — refugee conditions — I think they could be better; but if you ask me whether I am happier now than I was three weeks ago, I would say "yes". People are beginning to come back. They will stay home if they feel that there is a chance of having portions of their houses winterized, or that at least they

have shelter. If they feel that the police are not there to harass them and so on, they will come back. Many of them have come back. We estimate that most of the people are now back either in their villages or in their friends' or relatives' homes. Some 20,000 houses need to be rebuilt or repaired, but we are now carrying out a village-by-village survey in every municipality of Kosovo, so that we will know exactly how many houses can be repaired, how many have to be reconstructed, how many people are back and so forth. I hope we can share these results later this week.

I hope that the United Nations will be able to provide a helping hand on the landmine issue. There is the larger issue of whether Kosovo is not distracting attention from other parts of Bosnia, from Serbia — and I have a feeling it may be. We are trying very hard to maintain the importance of Bosnia, where minority return this year was below what we had expected. We welcome a high target for minority return next year: 120,000. If international will can be mobilized to make this possible, we will be the first ones to be pleased.

At the same time, the reasons for the slow return have been set out very clearly in our strategy paper that we presented to the Peace Implementation Council in the spring. Many political and administrative measures are required on the part of the Governments and the local people. Suspicion and the public attitude are very real issues that can be overcome with time and with sustained efforts. But this cannot be enforced. You cannot say, "You, return!" and think that people will return. We find ourselves between this reality and a very strong desire to see a more active return. I am very hopeful that this target of 120,000 will become a reality next year.

I believe that the one issue I should really address before ending is that of staff security. I am very grateful to the Permanent Representative of Bahrain for having raised this issue, for it is a very real one. Humanitarian workers have to be protected by conventions and by resolutions, but on the ground they have to protect themselves. I think the backing of the international community is important. They can refer to the resolutions and to the conventions, but in reality what happens is that they try to work with the local forces or authorities who are there to negotiate. These are checkpoints you go through by negotiation. This is the reality of all operations. We did it through Bosnia and through what was Zaire. We have done it in Kosovo, and we will have to continue doing it. However, I think the Convention on the Safety of United Nations and Associated Personnel, which is still awaiting ratification, should be ratified quickly. At least, it does show that the Government considers this an important issue.

Beyond that, I hope there will be other resolutions, strong resolutions, with implementing clauses to protect humanitarian workers. Humanitarian workers are of great concern to me, but they are the ones who are protecting the victims, too, and it should be looked at in that connection. Humanitarian workers are the ones who are at the forefront of helping the victims.

Perhaps the Council would like to go back to the original question about what kind of interventions at the military front it would provide. Short of that, however, humanitarian workers are the ones there and they are the ones who are suffering more casualties today than, I am afraid to say, some of the military people. I think it is my duty, on behalf of all my humanitarian colleagues, to raise this issue. Perhaps the Security Council or the General Assembly could put it on their own agendas. It should come out at the forefront of the United Nations concerns.

Preparedness, yes. We have preparedness everywhere in the world. We upgrade our preparedness if there is an imminent possibility of refugee outflow and we try to make sure our preparedness is up to date.

I do not know if I have satisfied the questions that were raised, but I will be happy to respond on an individual basis.

The President: I know I speak on behalf of my colleagues to thank you, Madam High Commissioner, for an extremely stimulating presentation and for a very thorough and comprehensive reaction to the comments and questions.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.

United Nations S/PV.3942/Corr.1

Security Council

Fifty-third Year

Provisional

3942nd Meeting

Tuesday, 10 November 1998, 10.30 a.m.
New York

Corrigendum

Page 7, second column, last line

For the Security Council *read* that Office

98-86430 (E)

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United Nations S/PV.3943

Security Council

Fifty-third Year

Provisional

3943rd Meeting
Thursday, 12 November 1998, 11.40 a.m.
New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Cordeiro
	China	Mr. Liu Jieyi
	Costa Rica	Ms. Incera
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

The situation in Tajikistan and along the Tajik-Afghan border

Report of the Secretary-General on the situation in Tajikistan (S/1998/1029)

98-86376 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.40 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Tajikistan and along the Tajik-Afghan border

Report of the Secretary-General on the situation in Tajikistan (S/1998/1029)

The President: I should like to inform the Council that I have received a letter from the representative of Tajikistan, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Alimov (Tajikistan) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation in Tajikistan, document S/1998/1029.

Members of the Council also have before them document S/1998/1063, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of the members of the Council to document S/1998/1034, which contains the text of a letter dated 4 November 1998 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General.

I give the floor to the representative of Tajikistan.

Mr. Alimov (Tajikistan) (*interpretation from Russian*): It is a great honour for me to speak at today's Security Council meeting devoted to consideration of the question of the situation in Tajikistan and the further activity in our country of the United Nations Mission of Observers in Tajikistan (UNMOT), and I welcome the opportunity to draw the attention of Council members to the vitally important problems of the present stage of development of Tajik society.

First of all, I should like to express our sincere gratitude to the United Nations for its unfailing support of the efforts of the Government of Tajikistan to overcome the consequences of the armed conflict and to return the country to the path of civilized development, which is fully in keeping with the historically proven and recognized interests of the Tajik people.

We are also grateful to the entire international community for rendering invaluable assistance to Tajikistan at the critical stage of the formation of its statehood and of the foundations for the normal functioning of civilian society.

The ongoing assistance from the World Bank and the International Monetary Fund, which together with the United Nations are coordinating the efforts of the international community of donors, has already yielded positive results in Tajikistan and, most importantly, gives us hope for a gradual and full restoration of the basis of the activities of daily life of the population of our country, a basis which has been destroyed by many years of conflict.

We would particularly like to take note of the efforts of Russia, Iran and other members of the Contact Group of Guarantor States of the General Agreement on the Establishment of Peace and National Accord in Tajikistan, signed in June last year in Moscow, to assist the progressive development of the peace process in our country.

We note with satisfaction the contribution to stabilizing of the situation in Tajikistan that is being made by the military personnel of the Collective Peacekeeping Forces of the Commonwealth of Independent States and the Russian border forces. We see the activity of UNMOT and the staff members of other international and non-governmental organizations as a specific demonstration of the desire of the entire international community to render assistance to the peace process in Tajikistan.

We are deeply distressed at the murder in July of this year of four staff members of the United Nations

Mission and are taking all possible measures to prevent this tragic incident from having consequences for our future relations with the United Nations and with other international organizations. The leadership of Tajikistan has already taken serious measures to improve security conditions for international personnel working in our country and is firmly committed to close cooperation with the leaders of the United Tajik Opposition to successfully complete the investigation of all circumstances surrounding the incident in July.

We share the basic assessments and conclusions of the report of the Secretary-General regarding the situation in Tajikistan, and we note their objectivity and realism. The peace process, and the gradual involvement in it of the entire people of Tajikistan, is slowly but surely gaining momentum. There is no need here to enumerate the obvious achievements reached during the course of implementation of the General Agreement. At the same time, I can state with full responsibility that the Government of the Republic of Tajikistan is fully aware that a great deal remains to be done, jointly with the leadership of the United Tajik Opposition, to resolve existing difficulties and to achieve the goals stated in the General Agreement.

The regular and fruitful contacts between the President of the Republic of Tajikistan, Mr. Emomali Rakhmonov, and the Chairman of the Commission on National Reconciliation, Mr. Abdullo Nuri, are unquestionably the key to overcoming existing and possible future difficulties on the complex path to national reconciliation.

The dedication to the peace process of both parties to the General Agreement and of the entire Tajik people was severely tested during the recent hostilities, which erupted as a result of the attempt made by an armed group of rebels in northern Tajikistan to seize power by force. Homes and administrative buildings were destroyed, there was considerable loss of life, particularly among the civilian population, and people's lives were ruined. All of this is typical of the anti-popular nature of the rebels and their leaders, who enjoyed the external support of those who wish to disrupt the Tajiks' constructive rhythm of life and to strike a treacherous blow to the consolidation process of Tajik society.

In this connection, President Emomali Rakhmonov of Tajikistan has resolutely embarked on a course of protecting the unity and territorial integrity of the country and the existing constitutional system. He has firmly stated that the peace process in the Republic is moving ahead and that no force can stop it. Tajikistan is firmly committed to building a democratic society of law and no one can compel it to turn from its chosen path.

We are grateful to the Security Council, the Secretary-General and the States members of the Commonwealth of Independent States (CIS) — Russia first and foremost — for their timely and clear political assessment of the rebels' subversive and destabilizing activities and for their determined and unequivocal moral support for the Government and people of Tajikistan in this very difficult time. We are counting on continued cooperation with our partners in the CIS in order to ensure Tajikistan's security and to prevent any new attempt by destructive forces to strike a blow against the process of national reconciliation.

We consider the new draft resolution on Tajikistan before the Security Council today to be a reaffirmation of the Council's unswerving support for the peace process in the country. We announce our firm intention to do all in our power to implement its provisions relating to the Government of Tajikistan.

The President: It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/1063) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1206 (1998).

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.55 a.m.

United Nations S/PV.3944

Security Council

Fifty-third Year

Provisional

3944th Meeting

Tuesday, 17 November 1998, 12.05 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Teixeira da Silva
	Gabon	Mr. Essonghe
	Gambia	Mr. Jagne
	Japan	Mr. Takasu
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock

Agenda

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

Letter dated 8 September 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/839)

Letter dated 22 October 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/990)

Letter dated 6 November 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/1040)

98-86442 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 12.05 p.m.

Adoption of the agenda

The agenda was adopted.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

Letter dated 8 September 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/839)

Letter dated 22 October 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/990)

Letter dated 6 November 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/1040)

The President: I should like to inform the Council that I have received letters from the representatives of Germany and Italy in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Reichel (Germany) and Mr. Fulci (Italy) took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them letters dated 8 September, 22 October and 6 November 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council, documents S/1998/839, S/1998/990 and S/1998/1040, respectively. Members of the Council also have before them document S/1998/1082, which contains the text of a draft resolution submitted by France, Germany, Italy, Japan, Portugal, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Slovenia has joined as a sponsor of the draft resolution contained in document S/1998/1082.

It is my understanding that the Council is ready to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Shen Guofang (China) (*interpretation from Chinese*): In principle, the Chinese delegation supports the work of the International Criminal Tribunal for the Former Yugoslavia. At the same time, our reservation, expressed at the time the Council adopted resolution 827 (1993), remains unchanged.

The Council established the Tribunal on the Former Yugoslavia in 1993 on an ad hoc basis, with a specific target. This has been the common understanding of the members of the Council. The Tribunal is not a permanent court of law, nor is it an organ that can intervene at any time in the internal affairs of any country in the Balkan region that fall purely within that country's domestic jurisdiction.

The problems in the Kosovo region of the Federal Republic of Yugoslavia by their very nature originated in terrorist and separatist activities. China condemns the terrorist forces in this region for the crimes against humanity and in violation of human rights. Double standards should not be used in the fight against

terrorism. We note that the Government of the Federal Republic of Yugoslavia is now investigating and handling these matters through its internal judicial procedures. China supports the measures taken by that Government in this regard. The handling of these matters falls entirely within the internal jurisdiction of the Government of the Federal Republic. On this question, the principle of respect for the sovereignty and territorial integrity of the Federal Republic, reaffirmed time and again by the Council, should be strictly observed.

The Council's basic purpose in establishing this Tribunal was to restore lasting peace and stability in the former Yugoslav region in close cooperation with the parties to the conflict there. Mutual respect and cooperation are an important guarantee for the Tribunal to be able to carry out smoothly its functions and duties. The problems that crop up in the course of its work should be resolved through consultations among all parties concerned. The Tribunal should seriously consider the questions and concerns raised by the parties. It should not become a political tool to exert pressures on any party.

In the light of those considerations, the Chinese delegation is unable to support the invoking of Chapter VII of the Charter as a means of putting pressure on the Federal Republic of Yugoslavia, as well as some other provisions in the draft resolution. We proposed our amendments to the sponsors, and we thank them for accepting some of them. Nonetheless, we regret that some of our other important views were not incorporated into the text. Therefore, the Chinese delegation will abstain in the vote on the draft resolution.

The President: I now put to the vote the draft resolution contained in document S/1998/1082.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

China

The President: The result of the voting is as follows: 14 votes in favour, none against and 1 abstaining. The draft resolution has been adopted as resolution 1207 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The Security Council will remain seized of the matter.

The meeting rose at 12.10 p.m.

United Nations S/PV.3945

Security Council

Fifty-third Year

Provisional

3945th Meeting

Thursday, 19 November 1998, 12.50 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Cordeiro
	China	Mr. Shen Guofang
	Costa Rica	Mr. Niehaus
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Russian Federation	Mr. Granovsky
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Richmond

Agenda

The situation in Africa

Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)

98-86458 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 12.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Africa

Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)

The President: The Security Council will now resume its consideration of the item on the agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them documents S/1998/1090 and S/1998/1091, which contain the text of two draft resolutions prepared in the course of the Council's prior consultations.

These documents represent the Council's continuing effort to address in a comprehensive and concrete manner the recommendations contained in the report of the Secretary-General of 13 April 1998 on the causes of conflict and the promotion of durable peace and sustainable development in Africa, which was requested by the Council in its statement of 25 September 1997 (S/PRST/1997/46).

As part of its consideration of the report of the Secretary-General, and pursuant to resolution 1170 (1998) of 28 May 1998, the Council convened a second ministerial-level meeting on 24 September 1998 to discuss the situation in Africa.

On 10 November 1998, the Council invited the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata, to brief the Council in a formal meeting on protection for humanitarian assistance to refugees and others in conflict situations, one of the issues highlighted in the report of the Secretary-General.

The Council's ad hoc Working Group on Africa, established pursuant to resolution 1170 (1998), was charged with reviewing all recommendations in the report of the Secretary-General related to the maintenance of international peace and security and submitting specific proposals for concrete action for consideration by the Council. In September of this year, the Council took action on the first set of proposals submitted to it by the ad hoc Working Group.

Today the Council will adopt additional concrete measures to implement the recommendations contained in the report of the Secretary-General.

On behalf of Council members, I commend the Permanent Representative of Gabon, Ambassador Denis Dangue Réwaka, the Chairman of the ad hoc Working Group on Africa, for his leadership of and commitment to this process.

It is my understanding that the Council is ready to vote on the two draft resolutions before it. Unless I hear any objection, I shall put the draft resolutions to the vote now.

There being no objection, it is so decided.

I shall first put to the vote the draft resolution in document S/1998/1090.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1208 (1998).

I shall now put to the vote the draft resolution in document S/1998/1091.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1209 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.55 p.m.

United Nations S/PV.3946

Security Council

Fifty-third Year

Provisional

3946th Meeting

Tuesday, 24 November 1998, 12.45 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Felício
	China	Mr. Shen Guofang
	Costa Rica	Mr. Niehaus
	France	Mr. Teixeira da Silva
	Gabon	Mr. Dangue Rewaka
	Gambia	Mr. Jagne
	Japan	Mr. Komishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Turk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 10 of Security Council resolution 1153 (1998) (S/1998/1100)

Letter dated 20 November 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1998/1104)

98-86501 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 12.45 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 10 of Security Council resolution 1153 (1998) (S/1998/1100)

Letter dated 20 November 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1998/1104)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraph 10 of Security Council resolution 1153 (1998), document S/1998/1100, and the letter dated 20 November 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council, document S/1998/1104.

Members of the Council also have before them document S/1998/1112, which contains the text of a draft resolution submitted by France, Portugal, Sweden and the United Kingdom of Great Britain and Northern Ireland.

I should like to draw the attention of the members of the Council to document S/1998/1103, which contains the text of a letter dated 19 November 1998 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council.

It is my understanding that the Council is ready to vote on the draft resolution (S/1998/1112) before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1210 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Council will remain seized of the matter.

The meeting rose at 12.50 p.m.

United Nations S/PV.3947

Security Council

Fifty-third Year

Provisional

3947th Meeting

Wednesday, 25 November 1998, 12.55 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Niehaus
	France	Mr. Doutriaux
	Gabon	Mr. Essonghé
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Fedotov
	Slovenia	Ms. Štiglic
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Grainger

Agenda

The situation in the Middle East

Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1998/1073)

98-86518 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 12.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1998/1073)

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Disengagement Observer Force, document S/1998/1073. Members of the Council also have before them document S/1998/1115, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/1115) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1211 (1998).

In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

> "As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force (S/1998/1073) states, in paragraph 8: 'Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/33.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1 p.m.

United Nations S/PV.3948

Security Council

Fifty-third Year

Provisional

3948th Meeting

Wednesday, 25 November 1998, 1 p.m.

New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Niehaus
	France	Mr. Doutriaux
	Gabon	Mr. Essonghé
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Fedotov
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United Kingdom of Great Britain and Northern Ireland	Mr. Grainger

Agenda

The situation in Georgia

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/1012 and Add.1)

98-86524 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 1 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Georgia

Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/1012 and Add.1)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General concerning the situation in Abkhazia, Georgia. (S/1998/1012 and Add.1)

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council has considered the report of the Secretary-General concerning the situation in Abkhazia, Georgia, of 29 October 1998 (S/1998/1012 and Add.1).

"The Security Council remains deeply concerned at the continuing tense and unstable situation in the Gali and Zugdidi regions and at the threat of resumption of serious hostilities. The Council demands that both sides observe strictly all their obligations to refrain from the use of force and to resolve disputed issues by peaceful means only.

"The Security Council welcomes the reinvigoration of the negotiations within the United Nations-led peace process. It particularly welcomes the meeting of both sides on confidence-building measures held in Athens on 16-18 October 1998, the largest and most representative meeting of the parties since the military confrontation of 1993, and the increased bilateral contacts between the two sides. The Council strongly urges the two sides to build on this momentum to widen their commitment to the United Nations-led peace process, to continue to intensify their discussion, in particular within the Coordinating Council, and to expand their relations at all levels. The Council also strongly encourages the parties to work together in order to convene a meeting between the President of Georgia and Mr. Ardzinba and to reach agreements, in particular on the return of refugees and measures for the economic rehabilitation of Abkhazia, Georgia, as a concrete step towards easing tensions and leading to improvement in the security environment. The Council reiterates its call to both sides to display without delay the necessary will to achieve substantial results on the key issues of the negotiations, and calls upon them to implement promptly and in good faith their undertakings, so that living conditions for the population on both sides can be improved by practical confidence-building measures.

"The Security Council strongly condemns the deliberate acts of violence against the personnel of the United Nations Observer Mission in Georgia (UNOMIG) and of the Collective Peacekeeping Forces of the Commonwealth of Independent States, including the continued laying of mines which also endangers the civilian population and impedes the work of the humanitarian organizations. The Council demands that both sides take determined and prompt measures to put a stop to such acts, which subvert the peace process, and to ensure that the security environment of all international personnel improves significantly.

"The Security Council welcomes the efforts of the Secretary-General aimed at improving the security of UNOMIG, approves his proposal to increase the number of internationally recruited lightly armed security personnel and additional local security personnel to provide internal security to the Mission's installations, and requests the Secretary-General to keep the security of UNOMIG under constant review taking into account the observations contained in his report.

"The Security Council reminds both sides that the continued commitment of the international community to assist them depends on their progress in achieving peacefully a comprehensive political settlement."

This statement will be issued as a document of the Security Council under the symbol S/PRST/1998/34.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.05 p.m.